THE NATIONAL ARCHIVES

# FEDERAL REGISTER

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Washington, Saturday, October 14, 1950

## TITLE 3—THE PRESIDENT

### EXECUTIVE ORDER 10169

ESTABLISHING THE NATIONAL ADVISORY COMMITTEE ON MOBILIZATION POLICY

WHEREAS the National Security Resources Board, created by the National Security Act of 1947, is responsible for advising the President on the coordination of military, industrial and civilian mobilization; and

WHEREAS the problems of military, industrial and civilian mobilization concern all of the people of the United States and merit the consideration of citizens from all areas of our economic structure:

NOW, THEREFORE, by virtue of authority vested in me by the Constitution and the statutes of the United States it is ordered as follows:

1. There is hereby established the National Advisory Committee on Mobilization Policy to consult with and advise the National Security Resources Board on national mobilization policy.

2. The membership of the National Advisory Committee on Mobilization Policy shall be appointed by the Chairman of the National Security Resources Board and shall include persons whose experience and ability equip them to represent business, labor, agriculture, and the public as a whole.

3. All executive departments and agencies of the Federal Government are requested to cooperate with the Committee and to furnish it such available information as it may require for the performance of its duties.

4. The National Security Resources Board shall defray necessary expenses of the Committee, including the compensation of the members thereof, within limits of applicable law.

HARRY S. TRUMAN

THE WHITE HOUSE,
*October 11, 1950.*

[F. R. Doc. 50-9173; Filed, Oct. 13, 1950; 12:30 p. m.]

### EXECUTIVE ORDER 10170

AMENDMENT OF EXECUTIVE ORDER NO. 10082 OF OCTOBER 5, 1949 PRESCRIBING PROCEDURES FOR THE ADMINISTRATION OF THE RECIPROCAL TRADE-AGREEMENTS PROGRAM

WHEREAS Executive Order No. 10082 of October 5, 1949 (14 F. R. 6105) establishes the Interdepartmental Committee on Trade Agreements and the Committee for Reciprocity Information, each to consist of persons designated from their respective agencies by the Chairman of the United States Tariff Commission, the Secretary of State, the Secretary of the Treasury, the Secretary of Defense, the Secretary of Agriculture, the Secretary of Commerce, the Secretary of Labor and the Administrator for Economic Cooperation; and

WHEREAS it would be in the public interest to provide for the representation on said committees of the Department of the Interior:

NOW, THEREFORE, by virtue of the authority vested in me by the Constitution and statutes, including section 332 of the Tariff Act of 1930 (46 Stat. 698) and the Trade Agreements Act approved June 12, 1934, as amended (48 Stat. 943; 57 Stat. 125; 59 Stat. 410; Public Law 307, 81st Congress), the said Executive Order No. 10082 of October 5, 1949 is hereby amended by adding after the comma following the word "Defense," in the second sentence of the paragraph numbered 1 thereof, the words "the Secretary of the Interior,".

HARRY S. TRUMAN

THE WHITE HOUSE,
*October 12, 1950.*

[F. R. Doc. 50-9174; Filed, Oct. 13, 1950; 12:30 p. m.]

### EXECUTIVE ORDER 10171

TRANSFERRING OCCUPATION FUNCTIONS IN AUSTRIA TO THE DEPARTMENT OF STATE

By virtue of the authority vested in me by the Constitution and the Statutes, including Title II of Chapter XI of the General Appropriation Act, 1951 (Public Law 759, 81st Congress), and as President of the United States and Commander in Chief of the armed forces of the United States, it is hereby ordered as follows:

1. There are hereby vested in the Department of State, except as hereinafter provided, the responsibilities and obligations of the United States in connection with the occupation of Austria, including the controls defined in the Agreement on the Machinery of Control in Austria dated June 28, 1946. There are trans-

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### THE PRESIDENT



### EXECUTIVE AGENCIES

FEDERAL REGISTER

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## CODIFICATION GUIDE

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## CODIFICATION GUIDE—Con.



ferred to the Department of State such unobligated balances of the appropriation for Government and Relief in Occupied Areas for the Fiscal Year ending June 30, 1951 and such property, including records, as the Director of the Bureau of the Budget shall determine to relate primarily to the functions herein transferred.

2. The United States High Commissioner for Austria shall continue to be the supreme United States authority in Austria, shall be the Chief of the United States diplomatic mission, and shall be responsible, under the immediate supervision of the Secretary of State, for the total governmental program of the United States in Austria, including representation of the United States in the Allied Commission for Austria: *Provided*, That (1) with respect to military matters as mutually defined by the Department of State and the Department of Defense the Commanding General, United States Forces in Austria, shall continue to receive instructions directly from the Joint Chiefs of Staff, and (2) the chief of the special mission of the Economic Cooperation Administration and his staff shall function in relation to the High Commissioner as described in section 109 (b) of the Economic Cooperation Act of 1948 (Public Law 472, 80th Congress), as amended.

3. On request of the High Commissioner, or in accordance with his instructions from the Joint Chiefs of Staff in respect of military matters, the Commanding General shall take all necessary measures to protect United States interests in Austria and whatever action may be considered essential to preserve law and order and safeguard the security of United States troops and personnel.

4. Except as stated above, all representatives of the United States Government in Austria are under the authority of the High Commissioner, who will facilitate the work of United States agencies in Austria and will assist them in their relations with representatives of the Austrian Government, all such relations being subject to his jurisdiction and discretion.

5. This order shall become effective on October 16, 1950.

HARRY S. TRUMAN

THE WHITE HOUSE,
*October 12, 1950.*

[F. R. Doc. 50-9175; Filed, Oct. 13, 1950; 12:57 p. m.]

# RULES AND REGULATIONS

## TITLE 6—AGRICULTURAL CREDIT

### Chapter III—Farmers Home Administration, Department of Agriculture

#### Subchapter A—Farm Housing Loans and Grants

#### PART 305—PROCESSING LOANS AND GRANTS

#### SUBPART A—COUNTY OFFICE ROUTINE

##### INTEREST ON CANCELED LOANS

Section 305.4 in Title 6, Code of Federal Regulations (14 F. R. 6555), is amended to read as follows:

§ 305.4 *Cancellation of loan or grant.* If the check for Farm Housing assistance has been deposited in the borrower's supervised bank account and no funds disbursed prior to the time the borrower requests cancellation, the borrower may cancel the loan or grant by remitting a check payable to the Treasurer of the United States and countersigned by the County Supervisor. No interest will be charged on a loan in a case of this kind unless the loan has been closed. When the original of Form FHA-441 stamped "Canceled" is received in the County Office, it will be returned to the borrower.

(Sec. 510, 63 Stat. 438; 42 U. S. C. 1480. Interprets or applies sec. 510, 63 Stat. 437; 42 U. S. C. 1480)

DERIVATION: Section 305.4 contained in FHA Instruction 443.11.

Dated: September 26, 1950.

[SEAL] DILLARD B. LASSETER,
*Administrator,*
*Farmers Home Administration.*

Approved: October 10, 1950.

C. J. MCCORMICK,
*Acting Secretary of Agriculture.*

[F. R. Doc. 50-9046; Filed, Oct. 13, 1950; 8:46 a. m.]

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#### Subchapter F—Miscellaneous Regulations

#### PART 383—ORCHARD LOAN PROGRAM

Subchapter F in Chapter III of Title 6, Code of Federal Regulations (13 F. R. 9473), is amended to add Part 383 as follows:

Sec.
383.1 General.
383.2 Purpose and scope of program.
383.3 Eligibility and certifications.
383.4 Loan purposes.
383.5 Rates and terms.
383.6 Security requirements.
383.7 Arrangements with other creditors.
383.8 Loan limitations and requirements.
383.9 Loan forms and routines.
383.10 Loan approval authority.
383.11 Servicing orchard loans.

AUTHORITY: §§ 383.1 to 383.11 issued under R. S. 161; 5 U. S. C. 22. Interpret or apply Pub. Law 665, 81st Cong.

DERIVATION: §§ 383.1 to 383.11 contained in FHA Instruction 447.1.

§ 383.1 *General.* The 1950 amendment to Public Law 38 (Public Law 665, 81st Cong.) authorizes the Secretary of Agriculture to make available to the owners or operators of established farms in any area or region, upon their full personal liability and such reasonable security as may be determined by the Secretary, credit of a type which, beginning in 1941, was made available in such area or region by the Regional Agricultural Credit Corporation, if the Secretary finds that there is a continued need for such credit and such credit is not readily available from other sources. Since the only lending program initiated by the Regional Agricultural Credit Corporation in 1941 was designed to provide credit to orchardists in the Wanatchee-Okanogan area of north central Washington (Chelan, Douglas, Grant, and Okanogan counties), loans made pursuant to this part are restricted to orchardists in that area.

§ 383.2 *Purpose and scope of program.* The orchard loan program has as its primary purpose the extension of credit to the owners or operators of established farms who are unable to obtain elsewhere the credit required to carry on their farming operations. This will be accomplished either through loans for the purchase of stock in a grower-owned cooperative lending in-

stitution from which the necessary operating credit can be obtained, or through loans for operating purposes as authorized herein. Technical assistance will be provided borrowers only to the extent necessary to assure the making of sound loans, and supervisory assistance only to the extent necessary to obtain the proper use of loan funds, to see that the essential horticultural practices are carried out and to effect collection of the loans.

§ 383.3 *Eligibility and certifications.* Any owner or operator (including a partnership or corporation engaged primarily in fruit growing operations) of an established orchard in the area in which orchard loans are authorized is eligible to receive such a loan, provided the loan applied for is not readily available from a commercial bank, cooperative lending agency, or other responsible source.

(a) *Certification by applicant.* Before an orchard loan is made, the applicant must certify that he is the owner or operator of an established orchard and that he is unable to obtain the loan applied for from commercial banks, cooperative lending agencies, or other responsible sources.

(b) *Certification by County Committee.* Before an orchard loan is made, the County Committee must certify that, to the best of its knowledge and belief:

(1) The applicant is the owner or operator of an established orchard.

(2) The applicant is unable to obtain readily the loan applied for from commercial banks, cooperative lending agencies, or other responsible sources.

(3) The applicant has the necessary ability and experience and will honestly endeavor to carry out the undertakings and obligations required of him.

§ 383.4 *Loan purposes.* (a) Orchard loans may be made for the purchase of stock in a cooperative lending institution established for the primary purpose of extending credit to fruit growers, subject to the following conditions:

(1) The cooperative lending institution must be authorized to extend credit to fruit growers in the area.

(2) Before any loans are made, the State Director must determine that the cooperative lending institution is capable of meeting loan commitments made to applicants.

(3) The amount of stock required to be purchased must be determined by the State Director to be reasonable in relation to the amount of funds to be advanced by the cooperative lending institution.

(4) Before a loan is made, the cooperative lending institution must have made a commitment to the applicant, in writing, to provide necessary operating expenses to produce, pick, and pack the estimated quantity of fruit to be grown that year.

(5) The total amount outstanding on loans made for the purchase of stock in a cooperative lending institution must not exceed 50 percent of the total amount of the outstanding participating stock of the cooperative lending institution.

(b) Orchard loans may be made for the following operating purposes:

(1) The purchase of seed, fertilizer, and spray materials.

(2) The payment of expenses for general orchard care, including labor, gas, oil, pruning, spraying, fertilizing, irrigating, picking, and packing expenses.

(3) The purchase of necessary farm and home equipment, or the repair thereof.

(4) The payment of harvesting expenses, including the purchase of boxes.

(5) The purchase of nursery stock to permit the normal replacement of unproductive trees.

(6) The payment of current taxes on real and personal property, water charges, and current interest on real estate obligations where it appears that anticipated income will support such obligations.

(7) To meet essential family living expenses and for other operating costs not inconsistent with the limitations set forth in connection with any of the above purposes.

(8) To pay expenses incident to the making of such loans.

§ 383.5 *Rates and terms.* Orchard loans will be made upon the full personal liability of the borrower and will bear interest from the date of the advance at the rate of 5 percent per annum on the unpaid principal. Such loans will be scheduled for repayment as rapidly as possible in at least annual installments over the minimum period of time consistent with the anticipated ability of the borrower to repay, subject to the following:

(a) Loans made for the purchase of stock in a cooperative lending institution will be scheduled for repayment over a period not in excess of 5 years from the date of the advance and with not less than one-fifth of the amount advanced falling due each year.

(b) Loans made for operating purposes as authorized in § 383.4 (b) will be scheduled for repayment subject to the following:

(1) Advances made for current operating expenses will be scheduled for repayment when the principal income from the year's operations normally will be received.

(2) Advances made for capital purchases will be scheduled for repayment over a period not in excess of 5 years, but in no case may the repayment schedule extend beyond the estimated useful life of the principal items of security.

§ 383.6 *Security requirements.* Orchard loans for operating purposes will be secured for the full amount of the loan by (1) a first lien upon the crops growing or to be grown by the applicant, (2) a first lien upon all livestock, farm machinery, and farm equipment purchased with proceeds of the loan, and (3) the best lien obtainable on as much of the livestock, farm machinery, and farm equipment of security value which is owned by the applicant at the time the loan is made as the loan approving official determines necessary to provide reasonable security for the orchard loan. Liens upon real estate and assignments of proceeds from the sale of agricultural products may be taken as additional security when necessary.

(a) Liens upon real estate will be taken as additional security subject to approval by the State Director. When the County Supervisor recommends that real estate security be obtained, the complete loan docket, including the following information, will be forwarded to the State Office:

(1) An estimate of the current agricultural value of the property.

(2) A brief description of existing liens, if any, on the property, including the repayment terms thereof.

(3) The legal description of the land to be mortgaged.

(4) In whose name and how title to the property is held.

(b) Orchard loans made for the purchase of stock in a cooperative lending institution will be secured for the full amount of the loan by an assignment of the endorsed certificate of stock supported by an agreement from the cooperative lending institution and the borrower providing for (1) payment to the Farmers Home Administration from the proceeds of the sale of the borrower's crop of an amount sufficient to meet the amount due on the loan made for the purchase of stock after the amount advanced by the cooperative lending institution for current operating expenses has been paid, and (2) inspection at any time by a representative of the Farmers Home Administration of the records of the cooperative lending institution pertaining to the borrower. Liens upon real estate may be taken as additional security under the conditions specified in paragraph (a) of this section.

(c) When an orchard loan is made to a tenant operator, the landlord will be required to become a party to the loan by signing the note and mortgage, unless this requirement is waived by the State Director in individual cases where such action is justified.

§ 383.7 *Arrangements with other creditors.* When the other debts owed by an applicant are likely to jeopardize his farming operation, necessary nondisturbance or similar agreements with the other creditors will be obtained before the loan is approved to provide for the retention of property essential for continued operations over a sufficient period of time to protect the interest of the Government.

§ 383.8 *Loan limitations and requirements.* The following limitations and requirements will be observed in making orchard loans:

(a) Since orchard loans are to be made only to owners or operators of established farms, such loans will not be made to plant new orchards.

(b) Orchard loans will not be made for the purpose of refinancing existing debts, either secured or unsecured.

(c) Ordinarily, orchard loans will be made for the purpose of financing necessary harvesting and marketing costs, as well as production costs.

(d) No loan will be made to any one borrower at any one time in excess of $10,000.

(e) No loan may be made which will result in a borrower becoming indebted in excess of $20,000 (including principal and accrued interest) for orchard loans.

Before a loan is made, it must be determined that the size of the applicant's operations is such that it would permit the Farmers Home Administration to finance the full year's operation, both production and harvesting expenses, within the above debt limitation and leave a sufficient margin to allow additional advances for beginning the succeeding crop and to protect the Government's interest against unforeseen contingencies.

(f) Orchard loans may not be made after August 4, 1953.

(g) Orchard loans may not be made which will increase the principal balance of all such loans outstanding at any one time to an amount in excess of $2,000,000.

§ 383.9 *Loan forms and routines*—(a) *Applications.* Applications for orchard loans will be made to the County Office of the Farmers Home Administration on Form FHA–202, "Application and Certifications for Disaster Loans," but the word "Disaster" in the title of the form will be changed to "Orchard".

(b) *Promissory note.* The applicant will be required to execute Form FHA–203, "Promissory Note," for the full amount of each advance.

(c) *Loan voucher.* The applicant will be required to execute Form FHA–5, "Loan Voucher," for the total amount of each advance as indicated in Form FHA–203.

(d) *Advances.* Orchard loan dockets may be submitted to the Area Finance Office for (1) immediate disbursement of the full amount of the loan, or (2) as limited herein, disbursement in more than one advance, but not to exceed four advances. Orchard loans may be disbursed in more than one advance only if (i) the circumstances in an individual case necessitate such action to protect properly the interest of the Government and the borrower, (ii) all of the advances for operating expenses are related to the same crop year, but in no event will any of the future payment vouchers be scheduled for payment more than twelve months from the date of the first advance, and (iii) a current lien search is made showing that there are no intervening liens since the previous advance was made, or if there are intervening liens, the holders thereof subordinate such liens to the lien of the Government.

(e) *Security instruments.* (1) When chattels are to be taken as security for a loan, the applicant will execute Form FHA–30.—, "Crop and Chattel Mortgage."

(2) When real estate is to be taken as security for a loan, the applicant will execute Form FHA–76.—, "Real Estate Mortgage."

(3) Assignments of proceeds from the sale of farm, dairy or other agricultural products, when required, will be executed by the applicant on Form FHA–80, "Assignment of the Proceeds from the Sale of Agricultural Products," or other form approved by the representative of the Office of the Solicitor.

(4) When a loan is made to a tenant operator and the landlord is not required to execute the note and mortgage as prescribed in § 383.6 (c), the landlord will be required to subordinate any interest which he has or may acquire in the crop being financed with the loan on such form as may be approved by the representative of the Office of the Solicitor.

(f) *Lien searches.* Applicants will be required to obtain and pay the costs of lien searches. The cost of lien searches may be paid from the proceeds of loan checks when necessary.

§ 383.10 *Loan approval authority.* (a) Subject to the policies and procedures contained herein, the State Director is authorized to approve orchard loans in amounts which will not cause the outstanding principal balance on such loans to exceed $16,000 for any one borrower. The State Director may redelegate to the State Field Representative authority to approve orchard loans in amounts which will not cause the outstanding principal balance on such loans to exceed $12,000 for any one borrower.

(b) Other indebtedness owed the Farmers Home Administration (Farm Ownership, Water Facilities, or other operating loans) by an applicant for an orchard loan will not affect the monetary limitations established in paragraph (a) of this section for the approval of orchard loans or the applicant's eligibility therefor. However, such debts will be considered along with other indebtedness owed by the applicant in determining soundness of the loan and repayment ability.

(a) Applications for orchard loans which cannot be approved under the delegation of authority contained in paragraph (a) of this section will be documented as required herein and submitted to the National Office for a review along with the borrower's case folder in connection with any other indebtedness to the Farmers Home Administration.

§ 383.11 *Servicing orchard loans*—(a) *General.* Farmers Home Administration regulations, except those contained in Part 364 and § 371.5 (b) of this chapter containing the policies and procedures for the servicing of other operating loans under the Production and Subsistence loan program will be followed in the servicing of orchard loans.

(b) *Release of security property other than real estate.* County Supervisors and Disaster Loan Supervisors are authorized to release mortgaged property, and proceeds derived from the sale thereof, when the security property has been sold for its fair market value, provided the proceeds are used for one or more of the following purposes:

(1) To make payments on debts due the Farmers Home Administration.

(2) To pay necessary harvesting and marketing expenses, not provided for in the loan or otherwise, in connection with crops, livestock, and similar items mortgaged to the Farmers Home Administration which are sold in the usual course of operating the farm business. The amount released for this purpose, however, will be limited to a fixed amount per unit of sale (box, ton, hundredweight, and so forth), as agreed upon between the County Supervisor or Disaster Loan Supervisor and the borrower at the time the loan was made or prior to the harvest season, and the borrower will be required to account for the proceeds of each sale before a further release for the above purposes is approved.

(3) To make payments on debts owed to other creditors and to make capital purchases, as agreed upon when the loan was made, and to meet farm and home operating expenses for the succeeding crop year, provided (i) amounts due the Farmers Home Administration and creditors with liens superior to those in favor of the Farmers Home Administration have been paid the amounts due for the year, and (ii) the income released for these purposes is normal farm income.

(4) To purchase or acquire through exchange property more suitable to the borrower's needs, subject to the following conditions:

(i) The new property must be made subject to a lien in favor of the Farmers Home Administration by the execution of a new security instrument (or by the operation of the "replacement" or "after-acquired property" clauses, in accordance with State Instructions). The new property, together with any additional proceeds that may be applied on the indebtedness, will have security value to the Farmers Home Administration at least equal to that of the lien formerly held by the Farmers Home Administration on the old property. However, when the newly acquired property is not valued at more than twenty-five dollars ($25), a new security instrument covering such property will not be required.

(ii) When a new security instrument is necessary it will be taken at the time of acquisition of the new property. However, in individual cases, the County Supervisor or Disaster Loan Supervisor may delay the taking of a new security instrument not to exceed one year or until a new mortgage is necessary for other reasons, whichever is earlier, when (*a*) adequate security (the present value, as determined by a conservative appraisal, of the borrower's property remaining under mortgage to the Farmers Home Administration is substantially greater than the amount of the debt) will continue to exist, and (*b*) the borrower's account due the Farmers Home Administration is current during such period of delay.

(iii) If the property being acquired is valued in excess of $2,500 the transaction must be reviewed by the State Field Representative prior to approval of the release.

(5) To make payments to other creditors having liens on the property sold which are superior to the liens of the Farmers Home Administration, provided the property is sold for its fair market value and any amount remaining after payments are made to the other creditors is applied on the borrower's indebtedness with the Farmers Home Administration, or is released under the conditions and for one or more of the purposes specified in this section.

Dated: September 14, 1950.

[SEAL] DILLARD B. LASSETER,
*Administrator,*
*Farmers Home Administration.*

Approved: October 10, 1950.

C. J. MCCORMICK,
*Acting Secretary of Agriculture.*

[F. R. Doc. 50–9045: Filed, Oct. 13, 1950; 8:46 a. m.]

# TITLE 7—AGRICULTURE

## Chapter IX—Production and Marketing Administration (Marketing Agreements and Orders), Department of Agriculture

[Lemon Reg. 351, Amdt. 1]

PART 953—LEMONS GROWN IN CALIFORNIA AND ARIZONA

LIMITATION OF SHIPMENTS

*Findings.* 1. Pursuant to the marketing agreement, as amended, and Order No. 53, as amended (7 CFR Part 953; 14 F. R. 3612), regulating the handling of lemons grown in the State of California or in the State of Arizona, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended, and upon the basis of the recommendation and information submitted by the Lemon Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of the quantity of such lemons which may be handled, as hereinafter provided, will tend to effectuate the declared policy of the act.

2. It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice and engage in public rule-making procedure (60 Stat. 237; 5 U. S. C. 1001 et seq.) because the time intervening between the date when information upon which this amendment is based became available and the time when this amendment must become effective in order to effectuate the declared policy of the Agricultural Marketing Agreement Act of 1937, as amended, is insufficient; and this amendment relieves restrictions on the handling of lemons grown in the State of California or in the State of Arizona.

*Order, as amended.* The provisions in paragraph (b) (1) (ii) of § 953.458 (Lemon Regulation 351, 15 F. R. 6781) are hereby amended to read as follows:

(ii) District 2: 200 carloads.

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. and Sup., 608c)

Done at Washington, D. C., this 12th day of October 1950.

[SEAL] S. R. SMITH,
*Director, Fruit and Vegetable Branch, Production and Marketing Administration.*

[F. R. Doc. 50-9146; Filed, Oct. 13, 1950; 10:29 a. m.]

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[Lemon Reg. 352]

PART 953—LEMONS GROWN IN CALIFORNIA AND ARIZONA

LIMITATION OF SHIPMENTS

§ 953.459 *Lemon Regulation 352*—(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 53, as amended (7 CFR Part 953; 14 F. R. 3612), regulating the handling of lemons grown in the State of California or in the State of Arizona, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.), and upon the basis of the recommendation and information submitted by the Lemon Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of the quantity of such lemons which may be handled, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication thereof in the FEDERAL REGISTER (60 Stat. 237; 5 U. S. C. 1001 et seq.) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. Shipments of lemons, grown in the State of California or in the State of Arizona, are currently subject to regulation pursuant to said amended order; the recommendation and supporting information for regulation during the period specified herein was promptly submitted to the Department after an open meeting of the Lemon Administrative Committee on October 11, 1950, such meeting was held, after giving due notice thereof to consider recommendations for regulation, and interested persons were afforded an opportunity to submit their views at this meeting; the provisions of this section, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such lemons; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period hereinafter specified; and compliance with this section will not require any special preparation on the part of persons subject thereto which cannot be completed by the effective time thereof.

(b) *Order.* (1) The quantity of lemons grown in the State of California or in the State of Arizona which may be handled during the period beginning at 12:01 a. m., P. s. t., October 15, 1950, and ending at 12:01 a. m., P. s. t., October 22, 1950, is hereby fixed as follows:

(i) District 1: unlimited movement;

(ii) District 2: 200 carloads;

(iii) District 3: unlimited movement.

(2) The prorate base of each handler who has made application therefor, as provided in the said amended marketing agreement and order, is hereby fixed in accordance with the prorate base schedule which is attached to Lemon Regulation No. 351 (15 F. R. 6781) and made a part hereof by this reference.

(3) As used in this section, "handled," "handler," "carloads," "prorate base," "District 1," "District 2," and "District 3," shall have the same meaning as when used in the said amended marketing agreement and order.

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. and Sup. 608c)

Done at Washington, D. C., this 12th day of October 1950.

[SEAL] S. R. SMITH,
*Director, Fruit and Vegetable Branch, Production and Marketing Administration.*

[F. R. Doc. 50-9148; Filed, Oct. 13, 1950; 10:29 a. m.]

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# TITLE 8—ALIENS AND NATIONALITY

## Chapter I—Immigration and Naturalization Service, Department of Justice

### Subchapter B—Immigration Regulations

PART 160—IMPOSITION AND COLLECTION OF FINES

NOTICE TO COLLECTOR OF CUSTOMS

AUGUST 15, 1950.

The sixth sentence of § 160.16, *Notice of intention to fine: procedure,* Chapter I, Title 8 of the Code of Federal Regulations, is amended to read as follows: "The triplicate shall be delivered directly to the collector of customs for the district wherein the first port of arrival or subsequent port of call is located and the collector shall withhold clearance papers until deposit is made or bond furnished as required in §§ 160.13–160.15."

(Sec. 23, 39 Stat. 892, sec. 24, 43 Stat. 166, sec. 37, 54 Stat. 675; 8 U. S. C. 102, 222, 458)

A. R. MACKEY,
*Acting Commissioner of Immigration and Naturalization.*

Approved: October 9, 1950.

PEYTON FORD,
*Acting Attorney General.*

[F. R. Doc. 50-9079; Filed, Oct. 13, 1950; 8:50 a. m.]

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# TITLE 9—ANIMALS AND ANIMAL PRODUCTS

## Chapter I—Bureau of Animal Industry, Department of Agriculture

### Subchapter D—Exportation and Importation of Animals and Animal Products

[BAI Order 368, Amdt. 5]

PART 93—SPECIAL REGULATIONS COVERING EXPORT AND IMPORT OF LIVESTOCK TO AND FROM MEXICO

HORSES FROM DOURINE-INFECTED AREAS

On August 31, 1950, there was published in the FEDERAL REGISTER (15 F. R. 5913) a notice of the proposed amendment of the special regulations governing export and import of livestock to and from Mexico, to modify § 93.11 (b) thereof relating to importation of horses from dourine-infected areas of Mexico (9 CFR 93.11 (b)), under section 2 of the act of Congress approved February 2, 1903, as amended (21 U. S. C. 111). After due consideration of all relevant material

submitted pursuant to the notice and under the authority of said statutory provision, § 93.11 (b) is hereby amended to read as follows:

(b) *Horses from dourine-infected areas.* All horses offered for importation from Mexico, other than those moving in bond for immediate reentry into Mexico, those imported for slaughter, and geldings unless judged by the inspector to be capable of serving mares, shall be detained at the border port of entry where a blood sample shall be obtained from each animal under the supervision of the inspector, said samples to be forwarded to the Bureau laboratory where they will be tested by the complement-fixation method for dourine. Any animal that is found by said test to be affected with dourine shall be refused entry.

The foregoing amendment shall be effective 30 days after publication in the FEDERAL REGISTER.

(Secs. 4, 5, 23 Stat. 32, as amended, secs. 6, 7, 8, 10, 26 Stat. 833, sec. 2, 32 Stat. 792, as amended, 34 Stat. 1263; 21 U. S. C. 80–82, 86, 102–105, 111–113, 120, 46 U. S. C. 466a)

Done at Washington, D. C., this 10th day of October 1950.

[SEAL] C. J. McCORMICK,
*Acting Secretary of Agriculture.*

[F. R. Doc. 50-9042; Filed, Oct. 13, 1950; 8:46 a. m.]

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## PART 94—RINDERPEST, FOOT-AND-MOUTH DISEASE, FOWL PEST (FOWL PLAGUE), AND NEWCASTLE DISEASE (AVIAN PNEUMOENCEPHALITIS): PROHIBITED AND RESTRICTED IMPORTATIONS

On August 10 and August 31, 1950, there were published in the FEDERAL REGISTER (15 F. R. 5156 and 5913) notices of proposed amendments of the regulations prohibiting and restricting the importation of certain animals and animal products into the United States because of rinderpest and foot-and-mouth disease (9 CFR Part 94), issued under section 306 of the Tariff Act of 1930 (19 U. S. C. 1306) and section 2 of the act of Congress approved February 2, 1903, as amended (21 U. S. C. 111). After due consideration of all relevant material submitted pursuant to the notices and under the authority of said statutory provisions, said regulations are hereby amended to read as follows:

Sec.
94.1 Designation of countries where rinderpest or foot-and-mouth disease exists; importations prohibited.
94.2 Meat or products derived from goats, wild ruminants, or wild swine.
94.3 Organs, glands, extracts, or secretions of ruminants or swine.
94.4 Foreign cured meats from countries where rinderpest or foot-and-mouth disease exists.
94.5 Garbage from foreign meats or meat products.
94.6 Dressed poultry.
94.7 Disposal of animals, meats, products, and other commodities refused admission.

AUTHORITY: §§ 94.1 to 94.7 issued under sec. 2, 32 Stat. 792, as amended; sec. 307, 46 Stat. 689; 19 U. S. C. 1306, 21 U. S. C. 111.

§ 94.1 *Designation of countries where rinderpest or foot-and-mouth disease exists; importations prohibited.* Notice is hereby given that the Secretary of Agriculture has determined that rinderpest or foot-and-mouth disease exists in the following designated countries: Mexico; all the countries of South America except Colombia; and all of the countries east of the 30th meridian west longitude and west of the International Date Line, except Iceland, Greenland, Republic of Ireland, Northern Ireland, the Channel Islands, Norway, Australia, New Zealand, and the Union of South Africa. Official notice of such determination has been given to the Secretary of the Treasury. Therefore, the importation from such countries into the United States of cattle, sheep, other domestic ruminants, or swine, or of fresh, chilled, or frozen beef, veal, mutton, lamb, or pork (including the entry into any port of the United States of any vessel having on board as sea stores or otherwise such animals or meats from the above named countries), is prohibited.

§ 94.2 *Meat or products derived from goats, wild ruminants, or wild swine.* The importation of fresh, chilled, or frozen meat or products derived from goats, wild ruminants, or wild swine, originating in any country designated in § 94.1 is prohibited, except as provided in § 94.3.

§ 94.3 *Organs, glands, extracts, or secretions of ruminants or swine.* The importation of fresh, chilled, or frozen organs, glands, extracts, or secretions derived from ruminants or swine, originating in any country designated in § 94.1 except for pharmaceutical purposes, is prohibited.

§ 94.4 *Foreign cured meats from countries where rinderpest or foot-and-mouth disease exists.* The importation of cured meats derived from ruminants or swine, originating in any country designated in § 94.1 is prohibited unless the following conditions have been fulfilled:

(a) All bones shall have been completely removed in the country of origin.

(b) The meat shall have been held in an unfrozen, fresh condition for at least 7 days immediately following the slaughter of the animals from which it was derived.

(c) The meat shall have been thoroughly cured by the application of dry salt or by soaking in a solution of salt.

§ 94.5 *Garbage from foreign meats or meat products.* No garbage derived in whole or in part from meats or meat products originating in any country designated in § 94.1 shall be unloaded from any vessel, aircraft or other carrier in the United States or within the territorial waters thereof: *Provided, however,* That such garbage, when contained in tight receptacles, may be so unloaded for incineration or other proper disposal in such manner and under such supervision as may be prescribed by the Chief of the Bureau of Animal Industry.

§ 94.6 *Dressed poultry.* The importation of dressed poultry from any foreign country except Canada is prohibited unless such poultry shall have been drawn and the feet and heads shall have been removed.

§ 94.7 *Disposal of animals, meats, products, and other commodities refused admission.* Animals, meats, products, and other commodities that are prohibited importation or entry under the regulations in this part shall be handled as follows:

(a) Animals and meats prohibited importation under § 94.1 which come into the United States by ocean vessel and are offered for entry and refused admission into this country shall be destroyed or otherwise disposed of as the Chief of the Bureau of Animal Industry may direct unless they are exported by the consignee within 10 days on the same vessel and meanwhile are retained on board such vessel under such isolation and other safeguards as said Chief of Bureau may require.

(b) Animals and meats prohibited importation under § 94.1 which come into the United States by any means other than ocean vessel and are offered for entry and refused admission into this country shall be destroyed or otherwise disposed of as the Chief of the Bureau of Animal Industry may direct unless they are exported by the consignee within 24 hours on the same carrier and meanwhile are retained on board such carrier under such isolation and other safeguards as said Chief of Bureau may require.

(c) Animals and meats prohibited importation under § 94.1 which come into the United States by any means but are not offered for entry into this country, and animals, meats, products and other commodities prohibited importation or entry under §§ 94.2, 94.3, 94.4, and 94.6 which come into the United States by any means, whether they are offered for entry into this country or not, shall be immediately destroyed or otherwise disposed of as the Chief of the Bureau of Animal Industry may direct.

*Effective date.* The foregoing amendment shall be effective November 15, 1950.

Done at Washington, D. C., this 10th day of October 1950.

[SEAL] C. J. McCORMICK,
*Acting Secretary of Agriculture.*

[F. R. Doc. 50-9043; Filed, Oct. 13, 1950; 8:46 a. m.]

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# TITLE 14—CIVIL AVIATION

## Chapter I—Civil Aeronautics Board

### Subchapter A—Civil Air Regulations

[Supp. 7, Amdt. 51]

## PART 60—AIR TRAFFIC RULES

### DANGER AREA ALTERATIONS

The danger area alterations appearing hereinafter have been coordinated with the civil operators involved, the Army, the Navy, and the Air Force, through the Air Coordinating Committee, Airspace Subcommittee, and are adopted when indicated in order to promote safety of the flying public. Compliance with the notice, procedures, and

effective date provisions of section 4 of the Administrative Procedure Act would be impracticable and contrary to the public interest, and therefore is not required. Title 14, § 60.13–1 is amended as follows:

1. The Antioch, California, area, published on April 21, 1949, in 14 F. R. 1913, and amended on June 23, 1949, in 14 F. R. 3393, is further amended by changing the "Designated Altitudes" column to read: "Surface to 15,000 feet", and by changing the "Time of Designation" column to read: "Continuous".

2. The Petaluma, California, area, published on April 21, 1949, in 14 F. R. 1913, and amended on June 23, 1949, in 14 F. R. 3393, is further amended by changing the "Designated Altitudes" column to read: "Surface to 15,000 feet", and by changing the "Time of Designation" column to read: "Continuous".

3. The Point Reyes, California, area, published on April 21, 1949, in 14 F. R. 1913, and amended on June 23, 1949, in 14 F. R. 3393, is further amended by changing the "Designated Altitudes" column to read: "Surface to 15,000 feet", and by changing the "Time of Designation" column to read: "Continuous".

4. Camp Polk, Louisiana, areas are added to read:

| Name and location (chart) | Description by geographical coordinates | Designated altitudes | Time of designation | Using agency |
|---|---|---|---|---|
| CAMP POLK (Beaumont Chart). | Area I: N boundary: lat. 31°10'00" N; E boundary: long. 92°51'30" W; S boundary: lat. 31°01'00" N; W boundary: long. 93°12'30" W. Area II: N boundary: lat. 31°24'00" N; E boundary: long. 93°10'00" W; S boundary: lat. 31°19'30" N; W boundary: long. 93°20'30" W. | Surface to 50,000 feet. | Continuous... | 4th Army, Camp Polk, La. |

5. A Lake Ontario (Wilson), New York, area is added to read:

| Name and location (chart) | Description by geographical coordinates | Designated altitudes | Time of designation | Using agency |
|---|---|---|---|---|
| LAKE ONTARIO (Wilson) (Detroit Chart). | Beginning at lat. 43°20'00" N; long. 78°51'30" W; due S to lat. 43°18'40" N, long. 78°51'30" W; W to lat. 43°18'30" N, long. 78°54'00" W; NW to lat. 43°20'00" N, long. 78°55'00" W; due E to lat. 43°20'00" N, long. 78°51'30" W, point of beginning. | Surface to 2,000 feet. | Daylight hours only, from Oct. 17, 1950, to Sept. 1, 1951. | Cornell Aeronautical Laboratory, Inc., Buffalo, N. Y. |

(Sec. 205, 52 Stat. 984, as amended; 49 U. S. C. 425. Interprets or applies sec. 601, 52 Stat. 1007, as amended; 49 U. S. C. 551)

This amendment shall become effective on October 17, 1950.

[SEAL] F. B. LEE,
*Acting Administrator of Civil Aeronautics.*

[F. R. Doc. 50-9072; Filed, Oct. 13, 1950; 8:49 a. m.]

## Chapter II—Civil Aeronautics Administration, Department of Commerce

[Amdt. 34]

### PART 600—DESIGNATION OF CIVIL AIRWAYS

MISCELLANEOUS AMENDMENTS

The civil airway alterations appearing hereinafter have been coordinated with the civil operators involved, the Army, the Navy, and the Air Force, through the Air Coordinating Committee, Airspace Subcommittee, and are adopted when indicated in order to promote safety of the flying public. Compliance with the notice, procedures, and effective date provisions of section 4 of the Administrative Procedures Act would be impracticable and contrary to public interest, and therefore is not required.

Part 600 is amended as follows:

1. Section 600.204 is amended to read:

§ 600.204 *Red civil airway No. 4 (Albuquerque, N. Mex., to Las Vegas, N. Mex.).* From the Albuquerque, N. Mex., omnirange station via the intersection of the Albuquerque, N. Mex., omnirange 24° magnetic enroute radial and the Santa Fe, N. Mex., omnirange 227° magnetic enroute radial to the Santa Fe, N. Mex., omnirange station. From the Santa Fe, N. Mex., Municipal Airport via the Las Vegas, N. Mex., radio range station to the intersection of the southeast course of the Las Vegas, N. Mex., radio range and the west course of the Tucumcari, N. Mex., radio range.

2. Section 600.296 is added to read:

§ 600.296 *Red civil airway No. 96 (Big Spring, Tex., to Wichita Falls, Tex.).* From the Big Spring, Tex., omnirange station to the Wichita Falls, Tex., omnirange station.

3. Section 600.643 is amended to read:

§ 600.643 *Blue civil airway No. 43 (Birmingham, Ala., to Nashville, Tenn.).* From the intersection of the north course of the Birmingham, Ala., radio range and the southwest course of the Chattanooga, Tenn., radio range to the intersection of the northeast course of the Muscle Shoals, Ala., radio range and the southwest course of the Nashville, Tenn., radio range.

4. Section 600.674 is added to read:

§ 600.674 *Blue civil airway No. 74 (Carlsbad, N. Mex., to Santa Fe, N. Mex.).* From the Carlsbad, N. Mex., omnirange station to the Roswell, N. Mex., omnirange station. From the intersection of the south course of the Otto, N. Mex., radio range with a direct line between the Albuquerque, N. Mex., radio range station and the Roswell, N. Mex., radio range station via the Otto, N. Mex., radio range station to the Santa Fe, N. Mex., Municipal Airport.

(Sec. 205, 52 Stat. 984, as amended; 49 U. S. C. 425. Interprets or applies sec. 302, 52 Stat. 985, amended; 49 U. S. C. 452)

This amendment shall become effective 0001 e. s. t. October 15, 1950.

[SEAL] DONALD W. NYROP,
*Administrator of Civil Aeronautics.*

[F. R. Doc. 50-9099; Filed, Oct. 13, 1950; 8:52 a. m.]

[Amdt. 37]

### PART 601—DESIGNATION OF CONTROL AREAS, CONTROL ZONES, AND REPORTING POINTS

MISCELLANEOUS AMENDMENTS

The control area and reporting point alterations appearing hereinafter have been coordinated with the civil operators involved, the Army, the Navy and the Air Force, through the Air Coordinating Committee, Airspace Subcommittee, and are adopted when indicated in order to promote safety of the flying public. Compliance with the notice, procedures, and effective date provisions of section 4 of the Administrative Procedure Act would be impracticable and contrary to public interest, and therefore is not required. Part 601 is amended as follows:

1. Section 601.13 is amended to read:

§ 601.13 *Green civil airway No. 3 control areas (San Francisco, Calif., to Boston, Mass.).* All of Green civil airway No. 3 including all that area within 5 miles either side of the enroute and altitude change radials and the area between the altitude change and enroute radials from Cheyenne, Wyo., omnirange station to the Sidney, Nebr., omnirange station via the direct enroute and 15° north altitude change radials; from the Sidney, Nebr., omnirange station to the North Platte, Nebr., omnirange station via the direct enroute and 15° north altitude change radials; North Platte, Nebr., omnirange station to the Grand Island, Nebr., omnirange station via the direct enroute and 15° north altitude change radials.

2. Section 601.14 is amended to read:

§ 601.14 *Green civil airway No. 4 control areas (Los Angeles, Calif., to Philadelphia, Pa.).* All of Green civil airway No. 4 including all that area within 5 miles either side of the enroute and altitude change radials and the area between the altitude change and enroute radials from the Albuquerque, N. Mex., omnirange station to the Otto, N. Mex., omnirange station via the direct enroute

and 15° south altitude change radials; Otto, N. Mex., omnirange station to the Anton Chico, N. Mex., omnirange station via the direct enroute radials; Anton Chico, N. Mex., omnirange station to the Tucumcari, N. Mex., omnirange station via the direct enroute and 15° north altitude change radials. From the Wichita, Kans., omnirange station to the Emporia, Kans., omnirange station via the direct enroute and 15° north altitude change radials; Emporia, Kans., omnirange station to the Kansas City, Mo., omnirange station via the direct enroute radials.

3. Section 601.15 is amended to read:

§ 601.15 *Green civil airway No. 5 control areas (Los Angeles, Calif., to Boston, Mass.).* All of Green civil airway No. 5 including all that area within 5 miles either side of the enroute and altitude change radials and the area between the altitude change and enroute radials from the intersection of the El Paso, Tex., omnirange 258° magnetic enroute radial and the Hot Springs, N. Mex., omnirange 149° magnetic enroute radial to the El Paso, Tex., omnirange station via the El Paso, Tex., omnirange 258° magnetic enroute radial; El Paso, Tex., omnirange station to the Salt Flat, Tex., omnirange station via the direct enroute and 15° north altitude change radials; Salt Flat, Tex., omnirange station to the intersection of the Salt Flat, Tex., omnirange 73° magnetic enroute radial and the Carlsbad, N. Mex., omnirange 203° magnetic enroute radial via the Salt Flat, Tex., omnirange 73° magnetic enroute radial. From the Midland, Tex., omnirange station to the Big Spring, Tex., omnirange station via the direct enroute and 15° north altitude change radials; Big Spring, Tex., omnirange station to the Abilene, Tex., omnirange station via the direct enroute and 15° south altitude change radials; Abilene, Tex., omnirange station to the Mineral Wells, Tex., omnirange station via the direct enroute and 15° north altitude change radials.

4. Section 601.103 is amended to read:

§ 601.103 *Amber civil airway No. 3 control areas (El Paso, Tex., to Great Falls, Mont.).* All of Amber civil airway No. 3 including all that area within 5 miles either side of the enroute and altitude change radials and the area between the altitude change and enroute radials from the intersection of the El Paso, Tex., omnirange 258° magnetic enroute radial and the Hot Springs, N. Mex., omnirange 149° magnetic enroute radial to the Hot Springs, N. Mex., omnirange station via the Hot Springs, N. Mex., omnirange 149° magnetic enroute radial; Hot Springs, N. Mex., omnirange station to the Albuquerque, N. Mex., omnirange station via the intersection of the Hot Springs, N. Mex., omnirange 8° magnetic enroute radial and the Albuquerque, N. Mex., omnirange 155° magnetic enroute radial, including that area between the western boundary of Amber civil airway No. 3 and the 149° magnetic and 8° magnetic Hot Springs, N. Mex., omnirange enroute radials. From the intersection of the Otto, N. Mex., omnirange 73° magnetic enroute radial and the Las Vegas, N. Mex., omnirange 201° magnetic enroute radial to the Las Vegas, N. Mex., omnirange station via the Las Vegas, N. Mex., omnirange 201° magnetic enroute radial; Las Vegas, N. Mex., omnirange station to the Raton, N. Mex., omnirange station via the direct enroute and 15° southeast altitude change radials; Raton, N. Mex., omnirange station to the Pueblo, Colo., omnirange station via the direct enroute radials.

5. Section 601.104 is amended to read:

§ 601.104 *Amber civil airway No. 4 control areas (Brownsville, Tex., to Minot, N. Dak.).* All of Amber civil airway No. 4 including all that area within 5 miles either side of the enroute and altitude change radials and the area between the altitude change and enroute radials from the Fort Worth, Tex., omnirange station to the Ardmore, Okla., omnirange station via the direct enroute and 15° west altitude change radials; Ardmore, Okla., omnirange station to the Oklahoma City, Okla., omnirange station via the direct enroute and 15° east altitude change radials; Oklahoma City, Okla., omnirange station to the Tulsa, Okla., omnirange station via the direct enroute and 15° northwest altitude change radials, including all that area bounded on the south by Amber civil airway No. 4 and on the north by the Oklahoma City, Okla., omnirange direct enroute radial to the Tulsa, Okla., omnirange station. From the Kansas City, Mo., omnirange station to the St. Joseph, Mo., omnirange station via the direct enroute and 15° east altitude change radials; St. Joseph, Mo., omnirange station to the Omaha, Nebr., omnirange station via the direct enroute and 15° east altitude change radials.

6. Section 601.204 is amended to read:

§ 601.204 *Red civil airway No. 4 control areas (Albuquerque, N. Mex., to Las Vegas, N. Mex.).* All of Red civil airway No. 4 including all that area within 5 miles either side of the enroute and altitude change radials and the area between the altitude change and enroute radials from the intersection of the Albuquerque, N. Mex., omnirange 24° magnetic enroute radial and the Santa Fe, N. Mex., omnirange 227° magnetic enroute radial to the Santa Fe, N. Mex., omnirange station via the Santa Fe, N. Mex., omnirange 227° magnetic enroute radial; Santa Fe, N. Mex., omnirange station to the Las Vegas, N. Mex., omnirange station via the direct enroute and 15° south altitude change radials.

7. Section 601.206 is amended to read:

§ 601.206 *Red civil airway No. 6 control areas (Las Vegas, Nev., to Omaha, Nebr.).* All of Red civil airway No. 6 including all that area within 5 miles either side of the enroute and altitude change radials and the area between the altitude change and enroute radials from the Akron, Colo., omnirange station to the Imperial, Nebr., omnirange station via the direct enroute and the 15° north altitude change radials; Imperial, Nebr., omnirange station to the Lexington, Nebr., omnirange station via the direct enroute and the 15° north altitude change radials; Lexington, Nebr., omnirange station to the Grand Island, Nebr., omnirange station via the direct enroute and the 15° south altitude change radials.

Section 601.235 is amended to read:

§ 601.235 *Red civil airway No. 35 control areas (Pueblo, Co., to Wichita, Kans.).* All of Red civil airway No. 35 including all that area within 5 miles either side of the enroute and altitude change radials and the area between the altitude change and enroute radials from the Pueblo, Colo., omnirange station to the Lamar, Colo., omnirange station via the direct enroute and 15° north altitude change radials; Lamar, Colo., omnirange station to the Garden City, Kans., omnirange station via the direct enroute and 15° north altitude change radials; Garden City, Kans., omnirange station to Dodge City, Kans., omnirange station via the direct enroute radials, including all that area bounded on the north by Red civil airway No. 35 and on the south by the Dodge City, Kans., omnirange direct enroute radials to the Garden City, Kans. and the Hutchinson, Kans., omnirange stations; Dodge City, Kans., omnirange station to Hutchinson, Kans., omnirange station via the direct enroute 15° south altitude change radials; Hutchinson, Kans., omnirange station to Wichita, Kans., omnirange station via the direct enroute and 15° north altitude change radials.

9. Section 601.268 is amended to read:

§ 601.268 *Red civil airway No. 68 control areas (El Paso, Tex., to Shreveport, La.).* All of Red civil airway No. 68 including all that area within 5 miles either side of the enroute and altitude change radials and the area between the altitude change and enroute radials from the Midland, Tex., omnirange station to the San Angelo, Tex., omnirange station via the direct enroute and 15° south altitude change radials.

10. Section 601.288 is amended to read:

§ 601.288 *Red civil airway No. 88 control areas (Albuquerque, N. Mex., to Hobbs, N. Mex.).* All of Red civil airway No. 88 including all that area within 5 miles either side of the enroute and altitude change radials and the area between the altitude change and enroute radials from the Albuquerque, N. Mex., omnirange station to the Corona, N. Mex., omnirange station via the direct enroute radials; Corona, N. Mex., omnirange station to the Roswell, N. Mex., omnirange station via the direct enroute and 15° northeast altitude change radials; Roswell, N. Mex., omnirange station to the Hobbs, N. Mex., omnirange station via the direct enroute radials.

11. Section 601.291 is amended to read:

§ 601.291 *Red civil airway No. 91 control areas (Salt Flat, Tex., to Hobbs, N. Mex.).* All of Red civil airway No. 91 including all that area within 5 miles either side of the enroute and altitude change radials and the area between the altitude change and enroute radials from the intersection of the Salt Flat, Tex., omnirange 73° magnetic enroute radial and the Carlsbad, N. Mex., omnirange 203° magnetic enroute radial to the

Carlsbad, N. Mex., omnirange station via the Carlsbad, N. Mex., omnirange 203° magnetic enroute radial; from the Carlsbad, N. Mex., omnirange station to the Hobbs, N. Mex., omnirange station via the direct enroute and 15° south altitude change radials including all that area bounded on the west by Red civil airway No. 91, on the south by Green civil airway No. 5 and on the east by the Carlsbad, N. Mex., omnirange 203° enroute radial.

12. Section 601.296 is added to read:

§ 601.296 *Red civil airway No. 96 control areas (Big Spring, Tex., to Wichita Falls, Tex.).* All of Red civil airway No. 96.

13. Section 601.605 is amended to read:

§ 601.605 *Blue civil airway No. 5 control areas (Galveston, Tex., to Salina, Kans.).* All of Blue civil airway No. 5 including all that area within 5 miles either side of the enroute radials from the Oklahoma City, Okla., omnirange station to the Ponca City, Okla., omnirange station via the direct enroute radials; from the Ponca City, Okla., omnirange station to the Wichita, Kans., omnirange station via the direct enroute radials.

14. Section 601.606 is amended to read:

§ 601.606 *Blue civil airway No. 6 control areas (Abilene, Tex., to Muskegon, Mich.).* All of Blue civil airway No. 6 including all that area within 5 miles either side of the enroute and altitude change radials and the area between the altitude change and enroute radials from the Abilene, Tex., omnirange station to the Wichita Falls, Tex., omnirange station via the direct enroute and 15° southeast altitude change radials; Wichita Falls, Tex., omnirange station to the Oklahoma City, Okla., omnirange station via the direct enroute and 15° east altitude change radials.

15. Section 601.622 is amended to read:

§ 601.622 *Blue civil airway No. 22 control areas (Memphis, Tenn., to Wichita, Kans.).* All of Blue civil airway No. 22 including all that area within 5 miles either side of the enroute and altitude change radials and the area between the altitude change and enroute radials from the Tulsa, Okla., omnirange station to the Wichita, Kans., omnirange station via the direct enroute and 15° north altitude change radials and from the Tulsa, Okla., omnirange station to the Ponca City, Okla., omnirange station via the direct enroute and 15° southwest altitude change radials including all that area bounded by the Tulsa-Ponca City, Ponca City-Wichita and Wichita-Tulsa omnirange direct enroute radials.

16. Section 601.630 is amended to read:

§ 601.630 *Blue civil airway No. 30 control areas (Brownsville, Tex., to Amarillo, Tex.).* All of Blue civil airway No. 30 including all that area within 5 miles either side of the enroute and altitude change radials and the area between the altitude change and enroute radials from the San Angelo, Tex., omnirange station to the Big Spring, Tex., omnirange station via the direct enroute and 15° northeast altitude change radials.

17. Section 601.668 is amended to read:

§ 601.668 *Blue civil airway No. 68 control areas (Midland, Tex., to Hobbs, N. Mex.).* All of Blue civil airway No. 68 including all that area within 5 miles either side of the enroute and altitude change radials and the area between the altitude change and enroute radials from the Midland, Tex., omnirange station to the Hobbs, N. Mex., omnirange station via the direct enroute and 15° southwest altitude change radials including all that area bounded on the north by Red civil airway No. 88, on the east by Blue civil airway No. 68 and on the west by the Midland-Hobbs omnirange direct enroute radials.

18. Section 601.674 is added to read:

§ 601.674 *Blue civil airway No. 74 control areas (Carlsbad, N. Mex., to Santa Fe, N. Mex.).* All of Blue civil airway No. 74 including all that area within 5 miles either side of the enroute radials from the Corono, N. Mex., omnirange station to the Otto, N. Mex., omnirange station via the direct enroute radials; from the Otto, N. Mex., omnirange station to the Santa Fe, N. Mex., omnirange station via the direct enroute radials including all that area bounded on the west by Blue civil airway No. 74, on the south by Red civil airway No. 88 and on the east by the Corono-Otto omnirange direct enroute radials.

19. Section 601.4204 is amended by changing caption to read: *"Red civil airway No. 4 (Albuquerque, N. Mex., to Las Vegas, N. Mex.)."*

20. Section 601.4296 is added to read:

§ 601.4296 *Red civil airway No. 96 (Big Spring, Tex., to Wichita Falls, Tex.).* No reporting point designation.

21. Section 601.4674 is added to read:

§ 601.4674 *Blue civil airway No. 74 (Carlsbad, N. Mex., to Santa Fe, N. Mex.).* No reporting point designation.

(Sec. 205, 52 Stat. 984, as amended; 49 U. S. C. 425. Interprets or applies sec. 601, 52 Stat. 1007, as amended; 49 U. S. C. 551)

This amendment shall become effective 0001 e. s. t., October 15, 1950.

[SEAL] DONALD W. NYROP,
*Administrator of Civil Aeronautics.*

[F. R. Doc. 50-9100; Filed, Oct. 13, 1950, 8:52 a. m.]

## TITLE 29—LABOR

### Chapter V—Wage and Hour Division, Department of Labor

PART 687—HOSIERY INDUSTRY IN PUERTO RICO

MINIMUM WAGE ORDER

Pursuant to the Administrative Procedure Act (60 Stat. 237; 5 U. S. C. 1001), notice was published in the FEDERAL REGISTER on September 15, 1950 (15 F. R. 6201) of my decision to approve the minimum wage recommendation of Special Industry Committee No. 7 for Puerto Rico for the Hosiery Industry in Puerto Rico, and the proposed wage order to carry such recommendation into effect was published therewith. Interested parties were given an opportunity to submit written exceptions within 15 days from the date of publication of the notice.

Exceptions were filed by Mr. Teodoro Moscoso, Administrator of the Economic Development Administration of Puerto Rico (Ltr. 9/20/50), Consolidated Industries, Inc. of Arecibo, and Puerto Rico Fabrics, Inc. of Naguabo (Joint Statement, 9/29/50). A letter, dated October 5, 1950, was also received from Mr. H. C. Hawkins, Vice President of Consolidated International Industries of Memphis, Tennessee, in behalf of Consolidated Industries of Arecibo. All take exception to the fact that separate minimum wage rates were not recommended for the seamless and the full-fashioned branches of the hosiery industry.

At the time the public hearings were held by the Committee in Puerto Rico at the end of April 1950, seamless hosiery was not being manufactured in Puerto Rico. Similarly, when the Committee's recommendation was before me for consideration at the public hearings in Washington on July 12, 1950, seamless hosiery was still not being manufactured there. In fact, the exceptions state that none of the three prospective manufacturers has yet commenced operations, although some of them have installed equipment and started training workers. Consequently, no separate consideration was given to problems which might be involved in the manufacture of seamless as distinguished from full-fashioned hosiery.

The widest publicity was given to both public hearings and ample opportunity was afforded to all persons having an interest in the matter to appear and present evidence. Mr. Moscoso did, in fact, testify at the hearings in Puerto Rico and was specifically advised that the Committee would welcome from him or his organization any facts which might be pertinent to its investigation of the hosiery industry (Record, Hearings on Artificial Flower Industry, p. 138). Nevertheless, no one appeared to present evidence concerning any unique problems that should distinguish the two branches of the industry.

The Economic Development Administration, with which all three firms planning to manufacture seamless hosiery must have consulted and negotiated before concluding to undertake such operations on the Island, has known since April 1950, that the Committee had recommended the adoption of a 40-cent minimum for the hosiery industry and that such rate was intended to apply to all branches of the industry. It is inconceivable to me that these companies did not take the recommendation into account before deciding to establish seamless hosiery plants in Puerto Rico.

I have nevertheless given careful consideration to the exceptions and am not satisfied that any of the facts presented would justify my disapproval of the Committee's recommendations for this industry. Mr. Moscoso merely calls attention to the fact that heretofore there were different minima applicable to

these two branches of the industry in Puerto Rico. Consolidated Industries and Puerto Rico Fabrics allege that the seamless hosiery industry is traditionally in a weaker position than the full-fashioned hosiery industry; that on the mainland, although the average hourly wages paid in the full-fashioned industry is $1.40, their two mainland plants, which produce seamless hosiery, pay an average hourly wage of only 80 cents; and that even the Wage and Hour Division's Regulations governing the employment of learners in the hosiery industry on the mainland, provide a subminimum learner rate for the seamless hosiery branch which is 9 percent less than that provided for learners in the full-fashioned branch of the industry.

The foregoing facts fail to demonstrate conclusively that a lower or different minimum wage rate is necessary for the seamless hosiery branch in Puerto Rico, or that failure to establish separate minima for the two branches of the industry, would result in the curtailment of opportunities for employment on the Island. None of the three firms has had any experience manufacturing seamless hosiery in Puerto Rico and none presented any projected cost data to show that they would not be able to operate profitably with a 40-cent minimum wage in effect. I am, therefore, constrained to overrule the exceptions and adhere to my previous decision to approve the Committee's recommendation.

Accordingly, pursuant to authority under the Fair Labor Standards Act of 1938, as amended (52 Stat. 1060, as amended; 29 U. S. C. 201), the said decision is hereby affirmed and made final, and the said wage order is hereby issued to become effective November 13, 1950.

Sec.
687.1 Approval of recommendation of industry committee.
687.2 Wage rate.
687.3 Notices of order.
687.4 Definition of the hosiery industry in Puerto Rico.

AUTHORITY: §§ 687.1 to 687.4 issued under sec. 8, 63 Stat. 915; 29 U. S. C. 208. Interpret or apply sec. 5, 63 Stat. 911; 29 U. S. C. 205.

§ 687.1 *Approval of recommendation of industry committee.* The Committee's recommendation is hereby approved.

§ 687.2 *Wage rate.* Wages at the rate of not less than 40 cents an hour shall be paid under section 6 of the Fair Labor Standards Act of 1938, as amended, by every employer to each of his employees in the hosiery industry in Puerto Rico who is engaged in commerce or in the production of goods for commerce.

§ 687.3 *Notices of order.* Every employer employing any employees so engaged in commerce or in the production of goods for commerce in the hosiery industry in Puerto Rico shall post and keep posted in a conspicuous place in each department of his establishment where such employees are working such notices of this order as shall be prescribed, from time to time, by the Wage and Hour Division of the United States Department of Labor and shall give such other notice as the Division may prescribe.

§ 687.4 *Definition of the hosiery industry in Puerto Rico.* The hosiery industry in Puerto Rico, to which this part shall apply, is hereby defined as follows: The manufacturing or processing of full-fashioned and seamless hosiery including among other processes the knitting, dyeing, clocking, and all phases of finishing hosiery, but not including the manufacturing or processing of yarn or thread.

This definition supersedes the definitions contained in any and all wage orders heretofore issued for other industries in Puerto Rico to the extent that such definitions include products or operations covered by the definition of this industry.

Signed at Washington, D. C., this 11th day of October 1950.

WM. R. MCCOMB,
*Administrator,*
*Wage and Hour Division.*

[F. R. Doc. 50-9085; Filed, Oct. 13, 1950; 8:51 a. m.]

# TITLE 32A—NATIONAL DEFENSE, APPENDIX

## Chapter I—National Production Authority, Department of Commerce

[NPA Reg. 2, as amended Oct. 12, 1950]

### PART 11—BASIC RULES OF THE PRIORITIES SYSTEM

This Amendment No. 1 to NPA Regulation 2 is found necessary and appropriate to promote the national defense and is issued pursuant to the authority granted by section 101 of the Defense Production Act of 1950. Consultation with industry representatives in advance of the issuance of this amendment has been rendered impracticable by the fact that the amendment affects all trades and industries.

Paragraph (b) of § 11.13 (NPA Regulation 2) is hereby amended effective October 12, 1950, by deleting "October 18, 1950" therefrom and substituting therefor "October 31, 1950." Part 11 as amended reads as follows:

Sec.
11.1 What this part does.
11.2 Definitions.
11.3 Rating authorized.
11.4 When ratings may be applied.
11.5 When ratings may be extended for material.
11.6 Additional restrictions upon the use of ratings for certain materials.
11.7 Use of ratings for services.
11.8 How to apply or extend a rating.
11.9 Special provisions applicable to extensions; grouping of orders.
11.10 Rules for acceptance and rejection of rated orders.
11.11 Report to NPA of improperly rejected orders.
11.12 Cancellation of ratings.
11.13 Sequence of filling rated orders.
11.14 Changes in customers' orders.
11.15 Delivery or performance dates.
11.16 Relation of ratings and directives.
11.17 Use or disposition of material acquired under this part.
11.18 Delivery for unlawful purposes prohibited.
11.19 Intra-company deliveries.
11.20 Inventory restrictions on materials acquired with a rating.
11.21 Scope of regulations and orders.
11.22 Defense against claims for damages.
11.23 Records.
11.24 Audit and inspection.
11.25 Reports.
11.26 Violations.
11.27 Adjustments and exceptions.
11.31 List A.

AUTHORITY: §§ 11.1 to 11.31 issued under sec. 704, Pub. Law 774, 81st Cong. Interpret or apply sec. 101, Pub. Law 774, 81st Cong.; sec. 101, E. O. 10161, Sept. 9, 1950, 15 F. R. 6105.

§ 11.1 *What this part does.* This part states the basic rules of the priorities system to be administered by the National Production Authority in the Department of Commerce. It states what kind of orders are rated orders, how to place them and the preference status of such orders. These rules apply to all business transactions within the jurisdiction of NPA unless more specific regulations, orders or directives of the NPA state otherwise.

§ 11.2 *Definitions.* (a) "Person" means any individual, corporation, partnership, association or any other organized group of persons and includes any agency of the United States or any other government.

(b) "Materials" means any raw, in process, or manufactured commodity, equipment, component, accessory, part, assembly or product of any kind.

(c) "NPA" means the National Production Authority in the Department of Commerce.

(d) "Rated order" means any purchase order, contract or other form of procurement for materials or services bearing the authorized rating and certification provided for in this part.

(e) "Assignment" of a rating. A rating is assigned when the NPA, or a government agency that it has authorized, grants a person the right to use the rating.

(f) "Application" of a rating. A rating is applied when the person to whom it is assigned uses the rating.

(g) "Extension" of a rating. A rating is extended when it is used by the person to whom it was applied or when it is further used by another person to whom it was extended.

§ 11.3 *Rating authorized.* Only a single rating is authorized, to be known as a "DO rating". This rating will be identified by the prefix DO and the two digits identifying the procurement program, which must be furnished a supplier by the person using the rating. All DO rated orders will have equal preferential status as provided in this part.

§ 11.4 *When ratings may be applied.* (a) When a regulation, order or certificate assigns a DO rating to any person either by naming him or by describing the class of persons to which he belongs, that person may apply the DO rating to get delivery of material or the performance of certain services.

(b) No person may place rated orders for more material than he is authorized to rate even though he intends to cancel

some of the orders or reduce the quantity of material ordered to the authorized amount before it is all delivered.

§ 11.5 *When ratings may be extended for material.* (a) When a person has received a rated order for the delivery of material, he may extend it to get the material which he will deliver on that order, or which will be physically incorporated in the material which he will deliver, including containers and packaging materials required to make the delivery, and including also chemicals directly used in the production of the material. If the material is to be processed, this includes the portion of it which would normally be consumed or converted into scrap or by-products in the course of processing.

(b) If a person has made delivery of material or has incorporated it into the material which he has delivered on a rated order, he may extend the rating to replace it in his inventory subject to the provisions of Part 10 of this chapter (Regulation 1) on inventory. Whether or not the material is covered by Part 10 of this chapter (Regulation 1) no rating may be used for any inventory replacement which would result in more than a practicable minimum working inventory, as defined in Regulation 1. Any material ordered with a rating as replacement in inventory must be substantially the same as the material which the person delivered or incorporated in the material which he delivered, except for minor variations in size, shape or design.

§ 11.6 *Additional restrictions upon the use of ratings for certain materials.* (a) A person who has received a rated order may not extend the rating to get material for plant improvement, expansion, or construction, or to get machine tools or other items which he will carry as capital equipment, or to get maintenance, repair or operating supplies.

(b) The ratings established by this part shall have no effect upon deliveries of items in § 11.31, List A. No person shall use ratings to get any of the items in § 11.31, List A, and no person selling such items shall require a rating as a condition of sale. Any rating purporting to be used to get any such items on a preferred basis shall be void.

§ 11.7 *Use of ratings for services.* (a) When a person is entitled to use a rating to get processed material, he may furnish the unprocessed material to a processor and use the same rating to get the material processed

(b) If the NPA specifically authorizes a person to use a rating to get services, he may use it for that purpose.

(c) Except as provided in paragraphs (a) and (b) of this section, no person may use a rating to get services.

(d) A person to whom a rating for services, as distinct from the production or delivery of material, has been applied or extended may not extend the rating for any purpose.

§ 11.8 *How to apply or extend a rating.* (a) When a person applies or extends a rating, he must put the prefix DO and the two digits supplied to him, for example DO–39, on his purchase order, or on a separate piece of paper attached to the order or clearly identifying it, together with the words "Certified under NPA Regulation 2," signed as prescribed in this section. This certificate constitutes a representation to the supplier and to the NPA that the purchaser is authorized under the provisions of this part to use the rating for the delivery of the materials covered by the order.

(b) Certifications on purchase or delivery orders must be signed by the person placing the order or by a responsible individual who is duly authorized to sign for that purpose. The signature must be either by hand or in the form of a rubber stamp or other facsimile reproduction of a handwritten signature. If a facsimile signature is used, the individual who uses it must be duly authorized in writing to use it for this purpose by the person whose signature it is, and a written record of the authorization must be kept.

(c) When a rated order is placed by telegram, the rating identification and certificate must be set out in full in the telegram. It will be sufficient if the file copy of the telegram is signed in the manner required for certification by this part.

(d) On rated orders requiring shipment within seven days, the substance of the certification may be stated verbally or by telephone. However, the following rules must be complied with:

(1) The person making the statement for the buyer must be a person duly authorized to make the certification.

(2) Both the buyer and the seller must promptly make a written record of the fact that the certification was given orally and the record must be signed by the buyer in the same way as a certification.

(e) The person who places a rated order, the individual whose signature is used and the individual who approves the use of the signature, will each be considered to be making a representation to the NPA that the statements contained in the certification are true to the best of his knowledge and belief. The person receiving the certification and any other information required to be included with it, shall be entitled to rely on it as a representation of the buyer unless he knows or has reason to believe that it is false.

(f) No person shall knowingly apply or extend or purport to apply or extend a rating to any order unless he is entitled to do so. No person shall apply or extend a rating for material or services after he has received the material or after the services have been performed, and any person who receives such a rating shall not extend it.

§ 11.9 *Special provisions applicable to extensions; grouping of orders.* (a) No person may extend any rating to replace inventory after three months have passed from the time he could have first extended it.

(b) If the purchase requirements for filling a number of rated orders for different items bearing different rating identifications are combined in one purchase order, each applicable rating identification must be placed alongside the related item.

(c) If the purchase requirements for filling a number of rated orders for the same material but bearing different rating identifications are combined in one purchase order, the purchase order must show the amount of each material to which a particular rating identification is extended.

(d) In the case of a manufacturer of common components or shelf items or any other person who has a number of rated orders for which he cannot place orders for minimum commercially procurable quantities of materials, to fill the rated orders individually, he may place one rated order for all the materials using the identification symbol DO–99. However, the amounts so ordered may not exceed the total amount of the material required for the rated orders so combined.

§ 11.10 *Rules for acceptance and rejection of rated orders.* Every order bearing a rating must be accepted and filled regardless of existing contracts and orders except as provided in this section. The "existing contracts and orders" referred to include not only ordinary purchase contracts but other arrangements achieving substantially the same results, though in form they may concern the use of production facilities rather than the material produced.

(a) A person must not accept a rated order for delivery on a date which would interfere with delivery of rated orders which he has already accepted, nor if delivery of the material ordered would interfere with delivery on an order which the NPA has previously directed him to fill.

(b) If a person when receiving a rated order bearing a specific delivery date does not expect to be able to fill it by the time requested, he must not accept it for delivery at that time. He must either (1) reject the order, stating when he could fill it, or (2) accept it for delivery on the earliest date he expects to be able to deliver, informing the customer of that date. He may adopt either of these two courses, depending on his understanding of which his customer would prefer. He may not reject a rated order just because he expects to receive other rated orders in the future.

(c) A supplier does not have to accept a rated order in any of the following cases, but there must be no discrimination in such cases against rated orders or between rated orders of different customers:

(1) If the person seeking to place the order is unwilling or unable to meet regularly established prices and terms of sale or payment. When a person who has a rated order asks a supplier to quote his regularly established prices and terms of sale or payment, the supplier must do so, except that if this would require detailed engineering or accounting work, he may give his best estimate without such work and say that it is not binding. However, the supplier need not quote if he is not required to accept the rated order and advises the person seeking the quotation of the reason for his refusal.

(2) If the order is for the manufacture of a product or the performance of a service of a kind which the person to whom the order is offered has not usually made or performed, and in addition, if either (i) he cannot fill the order without substantially altering or adding to his facilities or (ii) the order can readily be performed by someone else who has usually accepted and performed such orders.

(3) If an order for material is offered to a person who produces or acquires it for his own use only, and he has not filled any orders for that material within the past two years. If he has filled any orders within that period, but the rated order would take more than the excess over his own needs, he may reject the order for any amount over the excess.

(4) If filling the order would stop or interrupt the supplier's operations during the next 60 days in a way which would cause a substantial loss of total production or a substantial delay in operations.

(d) A manufacturer or processor need not accept a rated order from another person who manufactures or processes the same product, unless specifically directed to do so by the NPA.

(e) Any person who refuses to accept a rated order shall, upon written request of the person placing the order, promptly give his reasons in writing for his refusal.

§ 11.11 *Report to NPA of improperly rejected orders.* When a rated order is rejected in violation of this part, a report of the relevant facts may be filed with the NPA, Washington 25, D. C., Ref: Regulation 2. The NPA will take such action as it considers appropriate after requiring an explanation from the person rejecting the order.

§ 11.12 *Cancellation of ratings.* If a rating which has been used by a person is revoked he must immediately, in the case of each order to which he has applied such rating, either cancel the order or inform his supplier that it is no longer to be treated as a rated order. If any person receives notice from his customer or otherwise that the customer's order is no longer a rated order or that the customer's order is cancelled, he must immediately withdraw any extensions of that rating which he has made to any purchase order placed by him.

§ 11.13 *Sequence of filling rated orders.* (a) Every person who has rated orders on hand must schedule his operations, if possible, so as to fill each rated order by the required delivery or performance date. If this is not possible, for any reason, he must give precedence to all rated orders over unrated orders.

(b) As between conflicting rated orders, precedence must be given to the order which was received first with the rating: *Provided*, That orders received prior to October 3, 1950, and which receive ratings prior to October 31, 1950, take precedence as of the dates on which orders were first placed. As between conflicting rated orders received on the same date, precedence must be given to the order which has the earliest required delivery or performance date.

(c) A rated order calling for earlier delivery than a rated order already accepted must not be allowed to interfere with scheduled delivery on the first order, but if both deliveries can be made on schedule it is not necessary to produce or make delivery on the first customer's order ahead of the second.

(d) In the usual case, the date on which specifications have been furnished to the manufacturer in sufficient detail to enable him to put the product into production is to be considered the date on which the rated order is received.

(e) If a rated order or a rating applicable to an order is cancelled when the supplier has material in production to fill it, he need not immediately stop processing in order to put other rated orders into production. He may continue to process the material which he had put into production for the cancelled order to a stage of completion which will avoid a substantial loss of total production, but he may not incorporate any material which he needs to fill any rated orders on hand. He may not, however, delay putting other rated orders into production for more than 15 days.

§ 11.14 *Changes in customers' orders.* (a) The general rule is that any change in a customer's rated order constitutes a cancellation of the order and must be considered as a new order received on the date of the change, if the change will require the manufacturer to interfere with his production. For example:

(1) A change in shipping destination does not constitute the placing of a new order.

(2) An increase in the total amount ordered is a new order to the extent of the increase unless it can be filled with only a negligible interference with the filling of later rated orders.

(3) A change in the date of the delivery, whether advanced or deferred, when made by the customer, is a new rated order if it interferes with production or delays delivery on another rated order.

(4) A reduction in the total amount ordered will presumably not require a change in the manufacturer's schedule and will not constitute a new rated order. If the quantity is reduced below a minimum production quantity, the manufacturer may insist on the delivery of not less than a minimum production quantity. If the customer is not willing to order that amount, the manufacturer may reject the order. The manufacturer may not discriminate between customers in requiring delivery of minimum production amounts.

(5) When the customer directs the manufacturer to hold or suspend production without specifying a new delivery date, the rated order must be considered cancelled. If requested to do so within ten days after receiving such an instruction, the manufacturer must reinstate the order as nearly as possible to its former place in his proposed schedule of delivery as long as the reinstatement does not cause loss of production or delay in the scheduled deliveries of other rated orders. Any request for reinstatement made after ten days shall be treated as the placing of a new rated order.

(6) Where minor variations in size, design, capacity, etc., are requested by the customer and can be arranged by the manufacturer without interfering with his production, such changes do not constitute a new rated order.

(b) Where a change in an order constitutes a new rated order, the conditions existing at the time the change is received govern the acceptance of the rated order and its sequence in delivery under the rules of this part.

§ 11.15 *Delivery or performance dates.* (a) Every rated order must specify delivery or performance on a particular date or dates or within specified periods of not more than 90 days each, which in no case may be earlier than required by the person placing the order. Any order which fails to comply with this requirement shall not be treated as a rated order. The words "immediately" or "as soon as possible" or other words to that effect do not meet the requirements of this paragraph.

(b) The required delivery or performance date, for purposes of determining the sequence of deliveries or performance pursuant to § 11.13, shall be the date on which delivery or performance is actually required. The person with whom the rated order is placed may assume that the required delivery or performance date is the date specified in the order or contract unless he knows either (1) that the date so specified was earlier than required at the time the order was placed, or (2) that delivery or performance by the date originally specified is no longer required by reason of any change of circumstances. A delay in the scheduled receipt of any other material which the person placing the order requires prior to or concurrently with the material ordered, shall be deemed a change of circumstances.

(c) If, after accepting a rated order which specifies the time of delivery, the person with whom it is placed finds that he cannot fill it approximately on time, he must promptly notify the customer, telling him when he expects to be able to fill the order.

§ 11.16 *Relation of ratings and directives.* Special directives or authorizations issued by NPA take precedence over rated orders previously or subsequently received, unless a contrary instruction appears on the directive or authorization.

§ 11.17 *Use or disposition of material acquired under this part.* (a) Any person who gets material with a rating or through a specific authorization or a directive of the NPA must, if possible, use or dispose of it (or of the product into which it has been incorporated) for the purpose for which the assistance was given. Physical segregation is not required as long as the restrictions applicable to any specific lot of material or product are observed with respect to an equivalent amount of the same material or product.

(b) The restriction in paragraph (a) of this section does not apply when a material, or a product into which it has been incorporated, can no longer be used for the purpose for which the priority assistance was given, for example, when the assistance was given to fill a particular order and the material or product does not meet the customer's specifications or the contract order is cancelled. In such cases the rules on further use or disposition in paragraph (c) of this section must be observed.

(c) The holder of a material or product subject to paragraph (b) of this section may sell it as long as he complies with all requirements of other applicable sections of this part and of other orders and regulations of the NPA, or he may use it himself in any manner or for any purpose as long as he complies with such requirements.

§ 11.18 *Delivery for unlawful purposes prohibited.* No person shall deliver any material which he knows or has reason to believe will be accepted, redelivered, held or used in violation of any order or regulation of the NPA.

§ 11.19 *Intra-company deliveries.* The provisions of this part apply not only to deliveries to other persons, including affiliates, and subsidiaries, but also to deliveries from one branch, division or section of a single enterprise to another branch, division or section of the same or any other enterprise under common ownership or control.

§ 11.20 *Inventory restrictions on materials acquired with a rating.* The inventory restrictions described in Part 10 of this chapter (NPA Regulation 1) apply to all listed materials acquired with ratings or other priorities assistance.

§ 11.21 *Scope of regulations and orders.* (a) All regulations and orders of the NPA (including directions, directives and other instructions) apply to all subsequent transactions even though they are covered by contracts previously entered into. Regulations and orders apply to transactions in the territories or insular possessions of the United States unless the regulation or order specifically states that it is limited to the continental United States or to the 48 States and the District of Columbia. However, restrictions of NPA orders or regulations on the use of material or on the amount of inventory shall not apply when the material is used or the inventory is held directly by the Department of Defense outside the 48 States and the District of Columbia, unless otherwise specifically provided.

(b) All orders and regulations of the NPA which control the sale, transfer or delivery of any material, product or equipment, apply to sales made by any person, whether for his own account or for the account of others, and all restrictions upon accepting delivery apply to acceptance of delivery at any type of sale, including sales made by auctioneers, receivers, trustees in bankruptcy, and other cases where the assets of a business are being liquidated.

§ 11.22 *Defense against claims for damages.* No person shall be held liable for damages or penalties for any default under any contract or order which shall result directly or indirectly from compliance with any regulation or order of the NPA (including any direction, directive or other instruction) notwithstanding that any such regulation or order shall thereafter be declared by judicial or other competent authority to be invalid.

§ 11.23 *Records.* Each person participating in any transaction covered by this part shall retain in his possession for at least two years records of receipts, deliveries, inventories, and use, in sufficient detail to permit an audit that determines for each transaction that the provisions of this part have been met. This does not specify any particular accounting method and does not require alteration of the system of records customarily maintained, provided such records supply an adequate basis for audit. Records may be retained in the form of microfilm or other photographic copies instead of the originals.

§ 11.24 *Audit and inspection.* All records required by this part shall be made available at the usual place of business where maintained for inspection and audit by duly authorized representatives of the NPA.

§ 11.25 *Reports.* Persons subject to this part shall make such records and submit such reports to the NPA as it shall require, subject to the terms of the Federal Reports Act.

§ 11.26 *Violations.* Any person who wilfully violates any provision of this part or any other regulation or order of the NPA, or furnishes false information or conceals any material fact in the course of operation under any such regulation or order, is guilty of a crime and upon conviction may be punished by fine or imprisonment or both. In addition, administrative action may be taken against any such person to suspend his privilege of making or receiving further deliveries of materials or using facilities under priority or allocation control and to deprive him of further priorities assistance.

§ 11.27 *Adjustments and exceptions.* Any person affected by any provision of this part may file an application for an adjustment or exception upon the ground that such provision works an unreasonable hardship upon him not suffered generally by others in the same trade or industry or that its enforcement against him would not be in the interest of the national defense.

§ 11.31 *List A.* Allocation and distribution of the following items is subject to regulation by other government agencies and these items are therefore not subject to ratings issued by or under authority of NPA. However, producers of such items are subject to NPA regulations with respect to other materials and products used by them:

Electric power.[1]
Farm equipment.[2]
Fertilizer, commercial.[2]
Food.[2]
Fuels, solid.[1]
Gas.[1]
Petroleum.[1]
Source and fissionable materials.[3]
Transportation services, domestic, storage and port facilities.[4]

The following items are not subject to any ratings issued by or under authority of the NPA at the present time, and no rating issued by NPA may be extended to obtain such items unless specific authorization is given by NPA:

Communications services.
Ice.
Mineral aggregates:
  Sand.
  Gravel.
  Crushed stone.
  Slag.
Ores and scrap.
Steam heating, central.
Transportation services, other.
Waste paper.
Water.

NOTE: All reporting and record-keeping requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued October 12, 1950.

NATIONAL PRODUCTION AUTHORITY,
W. H. HARRISON,
*Administrator.*

[F. R. Doc. 50-9172; Filed, Oct. 13, 1950; 11:55 a. m.]

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[NPA Order M-1]

## PART 20—STEEL

This order is found necessary and appropriate to promote the national defense and is issued pursuant to the authority granted by section 101 of the Defense Production Act of 1950. In the formulation of this order, there has been consultation with industry representatives, including trade association representatives, and consideration has been given to their recommendations.

Sec.
20.1 What this part does.
20.2 Required delivery dates.
20.3 Rejection of rated orders.
20.4 Forms of steel to which this order applies.
20.5 Product limitation for acceptance of rated orders.
20.6 Total tonnage limitation for acceptance of rated orders.
20.7 NPA assistance in placing rated orders.
20.8 Application for adjustment or exception.
20.9 Communications.
20.10 Reports.
20.11 Violations.

AUTHORITY: §§ 20.1 to 20.11 issued under sec. 704, Pub. Law 774, 81st Cong. Interpret or apply sec. 101, Pub. Law 774, 81st Cong., sec. 101, E. O. 10161, Sept. 9, 1950, 15 F. R. 6105.

§ 20.1 *What this part does.* This part applies particularly to producers of steel, and provides rules for placing, accepting, and scheduling rated orders for steel.

[1] Under jurisdiction of the Department of the Interior—E. O. 10161, 15 F. R. 6105.

[2] Under jurisdiction of the Department of Agriculture—E. O. 10161, 15 F. R. 6105.

[3] Under jurisdiction of the Atomic Energy Commission—60 Stat. 755; 42 U. S. C. et seq.

[4] Under jurisdiction of the Interstate Commerce Commission—E. O. 10161, 15 F. R. 6105.

Its purpose is to provide equitable distribution of rated orders among all steel producers of the particular products in order to make possible maximum production and to reduce to a minimum disruption of normal distribution. It supplements Part 11 of this chapter (NPA Regulation 2), but only those provisions of Part 11 which are contradictory to this order are superseded, and all other provisions of that part continue to apply to the steel industry.

§ 20.2 *Required delivery dates.* A rated order for steel in the forms listed in § 20.4 must specify delivery on a particular date or a particular month, which in no case may be earlier than required by the person placing the order. The producer of steel must schedule the order for delivery within the requested month as close to the requested delivery date as is practicable considering the need for maximum production.

§ 20.3 *Rejection of rated orders.* A producer of steel in the forms listed in § 20.4 need not accept a rated order which is received less than 45 days prior to the first day of the month in which shipment is requested, unless specifically directed to accept the order by the National Production Authority.

§ 20.4 *Forms of steel to which this order applies.* This part applies to carbon steel (including wrought iron) and alloy steel (including stainless steel) in the following shapes and forms. The term includes all second quality materials and shearings, and material sorted or salvaged from steel scrap and sold for other than remelting purposes.

Bars, cold finished.
Bars, hot rolled or forged.
Ingot, billets, blooms, slabs, die blocks, tube rounds, sheet and tin bar, and skelp.
Pipe, including threaded couplings of the type normally supplied on threaded pipe by pipe mills.
Plates.
Rail and track accessories.
Sheet and strip.
Steel castings (rough as cast).
Structural shapes and piling.
Tin plate, terne plate and tin mill black plate.
Tubing.
Wheels, tires and axles.
Wire rods, wire and wire products.
Forgings (rough as forged).

§ 20.5 *Product limitation for acceptance of rated orders.* Unless specifically directed by the National Production Authority, no steel producer shall be required to accept rated orders for shipment in any one month in excess of the following percentages of his average monthly shipments of the products listed below made by him during the period from January 1, 1950 through August 31, 1950:

| | |
|---|---|
| Carbon semi-finished steel | 5 percent. |
| Carbon and alloy sheets and strip | 5 percent. |
| Carbon pipe | 5 percent. |
| Tin mill products | 5 percent. |
| Rail and track accessories | 5 percent. |
| Carbon wire rods, wire, and wire products. | 5 percent. |
| Carbon hot rolled bars | 10 percent. |
| Carbon cold finished bars | 10 percent. |
| Carbon tubing | 10 percent. |
| Carbon and alloy plates | 15 percent. |
| Carbon and alloy structural shapes and piling. | 15 percent. |
| Alloy cold-finished bars | 15 percent. |
| Alloy semi-finished steel and hot rolled bars. | 25 percent. |
| Alloy tubing | 25 percent. |
| Alloy wire rods and wire | 25 percent. |

§ 20.6 *Total tonnage limitation for acceptance of rated orders.* Unless specifically directed by the National Production Authority no steel producer shall be required to accept rated orders for shipment in any one month for a total tonnage of all products in excess of 15 percent, in the case of carbon steel and 25 percent, in the case of alloy steel of his scheduled production in terms of total ingot tonnage for such month.

§ 20.7 *NPA assistance in placing rated orders.* Any person who is unable to place a rated order for steel due to the limitations imposed by §§ 20.5 and 20.6, should apply to the NPA, Iron and Steel Division, Reference Order M-1, specifying the producers who refused to accept the order. The NPA will arrange to assist him in locating other sources of supply.

§ 20.8 *Applications for adjustment or exception.* Any person affected by any provision of this part may file an application for an adjustment or exception upon the ground that such provision works an exceptional hardship upon him not suffered generally by others, or that its enforcement against him would not be in the interest of the national defense program. All such applications, should be addressed to National Production Authority, Washington 25, D. C., Ref: M-1.

§ 20.9 *Communications.* All communications concerning this part shall be addressed to National Production Authority, Washington 25, D. C., Ref: M-1.

§ 20.10 *Reports.* Persons subject to this part shall make such records and submit such reports to the NPA as it shall require, subject to the terms of the Federal Reports Act.

§ 20.11 *Violations.* Any person who wilfully violates any provisions of this part or any other order or regulation of NPA or wilfully conceals a material fact or furnishes false information in the course of operation under this part is guilty of a crime and upon conviction may be punished by fine or imprisonment or both. In addition, administrative action may be taken against any such person to suspend his privilege of making or receiving further deliveries of materials or using facilities under priority or allocation control and to deprive him of further priorities assistance.

This part shall take effect on October 12, 1950.

NATIONAL PRODUCTION AUTHORITY,
W. H. HARRISON,
*Administrator.*

[F. R. Doc. 50-9171; Filed, Oct. 13, 1950; 11:55 a. m.]

# TITLE 38—PENSIONS, BONUSES, AND VETERANS' RELIEF

## Chapter I—Veterans' Administration

### PART 36—SERVICEMEN'S READJUSTMENT ACT OF 1944

SUBPART A—TITLE III, LOAN GUARANTY

1. In § 36.4356, paragraph (c) is amended to read as follows:

§ 36.4356 *Credit restrictions.* * * *

(c) Except as otherwise provided in this paragraph, the maturity of a loan for the purchase, construction, repair, alteration or improvement of residential property shall not exceed 25 years, provided that if the purchase price or cost of construction is in excess of $7,000 the maturity of the loan shall not exceed 20 years. In the event the Administrator determines that the income and expenses of the veteran at the time of his application for the loan are such that he would be unable to maintain the required schedule of amortized payments for a loan which matures in 25 years or 20 years, as the case may be, but that taking into consideration the veteran's current and prospective income and expenses he would be able to make the payments on the loan if amortized over a longer period of time, the loan may be made, with the prior approval of the Administrator, with a maturity for such longer period of time but not in excess of 30 years: *Provided*, That in no event will the maturity exceed the estimated economic life of the property securing the loan: *And provided further*, That nothing herein shall preclude the extension of the loan pursuant to the provisions of § 36.4314.

* * * * *

2. In § 36.4505, paragraph (a) is amended to read as follows:

§ 36.4505 *Maturity of loan.* (a) The maturity of a loan shall not exceed 20 years, except that if Veterans' Administration determines that the income and expenses of a veteran-applicant at the time of his application for a loan, or at the time of closing of the loan, are such that under customary credit standards he would be unable to maintain the required schedule of amortized payments for a loan which matures in 20 years, but that taking into consideration the veteran's current and prospective income and expenses he would be able to make the payments on the loan if amortized over a longer period of time, the loan may be made with a maturity for such longer period of time but not in excess of 30 years: *Provided*, That in no event will the maturity exceed the estimated economic life of the property securing the loan. Nothing herein shall preclude extension of the loan pursuant to the provisions of § 36.4506.

* * * * *

(Sec. 504, 58 Stat. 293, as amended; 38 U. S. C. 694d)

This regulation effective October 14 1950.

[SEAL] O. W. CLARK,
*Deputy Administrator.*

CREDIT RESTRICTIONS PURSUANT TO THE DEFENSE PRODUCTION ACT OF 1950 ON LOANS MADE OR ASSISTED BY THE ADMINISTRATOR OF VETERANS' AFFAIRS

My findings and authorizations, effective October 12, 1950 (15 F. R. 6831), with respect to Title 38, Chapter I, §§ 36.4356, 36.4504, and 36.4505, Regulations of the Administrator of Veterans' Affairs, are hereby extended and made applicable to the amendments to §§ 36.4356 and 36.4505, *supra*, effective concurrently herewith. In view of the need for the immediate issuance of such amendments and the recent consultations on said sections with representatives of veterans' and consumer organizations and with representatives of the home building and financing industries (which consultations included the subject matter of these amendments), it is determined that further consultations are unnecessary and impracticable prior to issuance of such amendments.

Effective as of the 14th day of October, 1950.

B. T. FITZPATRICK,
*Acting Housing and Home Finance Administrator.*

[F. R. Doc. 50-9166; Filed, Oct. 13, 1950; 11:42 a. m.]

# PROPOSED RULE MAKING

## DEPARTMENT OF AGRICULTURE

### Bureau of Animal Industry

### [ 9 CFR, Part 151 ]

RECOGNITION OF BREEDS AND BOOKS OF RECORD OF PUREBRED ANIMALS

DOGS

Notice is hereby given that the Secretary of Agriculture, pursuant to the authority vested in him by section 201, paragraph 1606 of the Tariff Act of 1930, as amended (19 U. S. C., sec. 1201, par. 1606), proposes to withdraw recognition of the book of record for Pinscher-Schnauzer dogs entitled "Reichs-Zuchtbuch (Abteilung: Schnauzer and Pinscher)" published by the Pinscher-Schnauzer-Klub, Bahnhofstrasse 42, Wehrheim/Taunus, Germany, E. V. Josef Best, Secretary, and to amend the regulations governing the recognition of breeds and books of record of purebred animals by removing the name of the stud book from the list of books of record named in 9 CFR 151.10 (a) (14 F. R. 159), as amended, under the subheading "Dogs".

Any person who wishes to submit written data or arguments concerning the proposed amendment may do so by filing them with the Chief of the Bureau of Animal Industry, Agricultural Research Administration, United States Department of Agriculture, Washington 25, D. C., within thirty days after the date of publication of this notice in the FEDERAL REGISTER.

(Sec. 201, Par. 1606, 46 Stat. 673; 19 U. S. C. and Sup., 1201, Par. 1606)

Done at Washington, D. C., this 10th day of October 1950.

[SEAL] C. J. MCCORMICK,
*Acting Secretary of Agriculture.*

[F. R. Doc. 50-9044; Filed, Oct. 13, 1950; 8:46 a. m.]

## FEDERAL SECURITY AGENCY

### Public Health Service

### [ 42 CFR, Part 71 ]

FOREIGN QUARANTINE

NOTICE OF PROPOSED RULE MAKING

Notice is hereby given that the Surgeon General of the Public Health Service, with the approval of the Federal Security Administrator, proposes to amend §§ 71.16, 71.68, 71.87 and 71.139 of the Public Health Service Regulations (42 CFR 71.16, 71.68, 71.87 and 71.139) as indicated below. Interested persons may submit written data, views, or arguments in regard to the proposed amendments to the Surgeon General of the Public Health Service, Washington 25, D. C., not later than 15 days after the publication of this notice in the FEDERAL REGISTER.

1. Section 71.16 would be revised to read as follows:

§ 71.16 *Smallpox: Vessels or aircraft.* (a) The owner or operator of a vessel or aircraft shall not permit to embark thereon, until successfully vaccinated, any person who within the 14 days immediately prior to embarkation has been in an area where smallpox was present, unless the person presents:

(1) Bodily or documentary evidence of a previous attack of smallpox, or a certificate of immunization executed on a form approved by the World Health Organization, or

(2) A written statement from a licensed physician that, because of such person's advanced age, infancy, or illness, vaccination would be dangerous to his health.

(b) A statement by a local or national health authority at the place of embarkation affirming that a person has not been in an area where smallpox was present in the 14 days immediately prior to embarkation may be accepted as evidence of the facts so stated unless the owner or operator of the vessel or aircraft knows or has reason to know that the statement is erroneous.

2. Section 71.68 would be revised to read as follows:

§ 71.68 *Persons; release under surveillance.* Persons released under surveillance pursuant to the provisions of Subpart F of this part shall, during the periods specified in such subpart, submit to such medical examination or inquiry as the medical officer in charge may determine to be necessary to prevent the spread of the disease or diseases with respect to which such persons have been released under surveillance.

3. Section 71.87 would be revised to read as follows:

§ 71.87 *Smallpox: Vessels or aircraft; persons.* (a) Persons ill from smallpox shall be removed and isolated until no longer infectious.

(b) All arriving persons shall be vaccinated unless:

(1) They present evidence satisfactory to the quarantine officer of successful vaccination within three years prior to arrival or of a previous attack of smallpox, or

(2) They present a statement from a local or national health authority at the place of embarkation affirming that they were not in an area where smallpox was present in the 14 days immediately prior to embarkation for a port under the control of the United States, or

(3) In the judgment of the quarantine officer vaccination would, because of advanced age, infancy, or illness of such persons, be dangerous to their health, in which case they shall be placed under surveillance for not more than 14 days, subject to the provisions of paragraph (c) (2) of this section.

(c) The following persons may be held under observation for not more than 14 days to determine whether they are infected with smallpox:

(1) All persons required under paragraph (b) of this section to be vaccinated who fail or refuse to be vaccinated;

(2) All persons exempted by paragraph (b) (2) or (3) of this section from the vaccination requirement, if the quarantine officer has reason to believe that they have been exposed to smallpox within 14 days prior to arrival.

(3) All persons vaccinated on arrival or within 14 days prior to arrival, if the quarantine officer has reason to believe that they have been exposed to smallpox within 14 days prior to arrival.

4. Paragraphs (c) and (d) of § 71.139 would be revised to read as follows:

§ 71.139 *Particular diseases.* * * *

(c) All persons shall be vaccinated against smallpox unless:

(1) They present evidence satisfactory to the quarantine officer of successful vaccination within three years prior to arrival or of a previus attack of smallpox, or

(2) In the judgment of the quarantine officer vaccination would, because of advanced age, infancy, or illness of such persons, be dangerous to their health, in which case they shall be placed under surveillance for not more than 14 days, subject to the provisions of paragraph (d) (2) of this section.

(d) The following persons may be held under observation for not more

than 14 days to determine whether they are infected with smallpox:

(1) All persons required under paragraph (c) of this section to be vaccinated who fail or refuse to be vaccinated;

(2) All persons excepted, because of danger to their health, from the vaccination requirement, if the quarantine officer has reason to believe that they have been exposed to smallpox within 14 days prior to arrival.

(3) All persons vaccinated on arrival or within 14 days prior to arrival, if the quarantine officer has reason to believe that they have been exposed to smallpox within 14 days prior to arrival.

(Secs. 215, 361–369, inclusive, 58 Stat. 690, 703–706; 42 U. S. C. 216, 264–272, inclusive.)

Dated: October 6, 1950.

[SEAL] W. P. DEARING,
*Acting Surgeon General.*

Approved: Oct. 10, 1950.

OSCAR R. EWING,
*Federal Security Administrator.*

[F. R. Doc. 50-9036; Filed, Oct. 13, 1950; 8:45 a. m.]

# NOTICES

## DEPARTMENT OF DEFENSE

### Department of the Army

STATEMENT OF ORGANIZATION AND FUNCTIONS

MISCELLANEOUS AMENDMENTS

Paragraph (i) of section 2, statement of organization and functions, appearing at 15 F. R. 552, February 1, 1950, is amended by changing subparagraph (8) (i) (b), by changing the heading of subparagraph (8) (vi), and adding a new subparagraph (8) (vi) (*l*), as follows:

SEC. 2. *Organization and functions of agencies dealing with the public.* * * *

(i) *Office of the Quartermaster General.* * * *

(8) *Organization*—(i) *Office of Management.* * * *

(b) Develops programs for improvement of organization, office procedures, and recurring reports, and is responsible for the evaluation, review, and analysis of the overall Quartermaster program.

* * * * *

(vi) *Budget and Fiscal Division.* * * *

(*l*) Is responsible for directing development, execution, review, and analysis of the Quartermaster Corps segments of the primary programs of the Department of the Army as set forth in SR 11–10–1 (Primary Programs of the Department of the Army), May 25, 1950.

* * * * *

[SEAL] EDWARD F. WITSELL,
*Major General, U. S. A.,*
*The Adjutant General.*

[F. R. Doc. 50-8995; Filed, Oct. 13, 1950; 8:45 a. m.]

## DEPARTMENT OF THE INTERIOR

### Bureau of Land Management

[Misc. No. 1218080]

ARIZONA

NOTICE OF REMOVAL OF TRACT FROM PUBLIC WATER RESERVE NO. 107

OCTOBER 9, 1950.

Pursuant to the authority granted by the First Assistant Secretary of the Interior on March 29, 1941, notice is hereby given that the following-described land, which was construed by Public Water Interpretation No. 30 of November 20, 1926, to be included in Public Water Reserve No. 107 created by Executive Order dated April 17, 1926, has been found to be unsuitable for withdrawal as a public water reserve and that the Interpretation No. 30 will be deleted from the records:

GILA AND SALT RIVER MERIDIAN

T. 35 N., R. 11 W., Sec. 20, NE¼SW¼ and NW¼SE¼.

The area described contains 80 acres.

The NW¼SE¼ sec. 20, which contains a spring, has been patented.

The NE¼SW¼ sec. 20, which is public land containing no water, is primarily suitable for grazing. No application for this land may be allowed under the homestead, small-tract, or desert-land laws, or any other nonmineral public-land laws unless the land has already been classified as valuable or suitable for such type of application or shall be so classified upon consideration of an application.

This order shall become effective at 10:00 a. m. on the 35th day after publication in the FEDERAL REGISTER. At that time, the said land shall become subject to application, petition, location and selection, subject to the provisions of existing withdrawals, the requirements of applicable law, the 90-day preference right filing period for veterans and others entitled to preference under the act of September 27, 1944 (58 Stat. 747; 43 U. S. C. 279–284), as amended, and valid existing rights, including rights-of-way for the trough, tunnels, canals and pipeline on the land.

WILLIAM ZIMMERMAN, Jr.,
*Assistant Director.*

[F. R. Doc. 50-9081; Filed, Oct. 13, 1950; 8:50 a. m.]

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CALIFORNIA

CLASSIFICATION ORDER

SEPTEMBER 29, 1950.

1. Pursuant to the authority delegated to me by the Director, Bureau of Land Management, by Order No. 319 dated July 19, 1948 (43 CFR 50.451 (b) (3) 13 F. R. 4278), I hereby classify under the Small Tract Act of June 1, 1938 (52 Stat. 609), as amended July 14, 1945 (59 Stat. 467, 43 U. S. C. section 682a), as hereinafter indicated, the following described land in the Los Angeles, California, land district, embracing approximately 119.74 acres,

CALIFORNIA SMALL TRACT CLASSIFICATION NO. 239

For lease and sale, for homesites only;

T. 2 N., R. 6 E., S. B. M., Sec. 4, Lots 1 and 2 of NE¼

Leases will not be issued for tracts in Lot 2 until a supplemental plat has been prepared dividing the lot into tracts.

The lands are located 15 to 25 miles northwest of Twentynine Palms, California, in the Mojave Desert, San Bernardino County, California. The elevation ranges from about 2700 to 3500 feet. The topography is rolling. The sandy soil supports a desert shrub type of vegetation. Summer temperatures are high and rainfall is slight. Graded and unimproved roads permit access to portions of the area. Subsurface water is generally very deep and many applicants will find it necessary to haul water for domestic use.

2. As to applications regularly filed prior to 3:24 p. m., April 16, 1948, and are for the type of site for which the land is classified, this order shall become effective upon the date it is signed.

3. As to the land not covered by applications referred to in paragraph 2, this order shall not become effective to permit leasing under the Small Tract Act until 10:00 a. m., December 1, 1950. At that time such land shall, subject to valid existing rights, become subject to application as follows:

(a) Ninety-day preference period for qualified veterans of World War II from 10:00 a. m., December 1, 1950, to close of business on March 1, 1951.

(b) Advance period for veterans' simultaneous filings from 3:24 p. m., April 16, 1948, to 10:00 a. m., December 1, 1950.

4. Any of the land remaining unappropriated shall become subject to application under the Small Tract Act by the public generally, commencing at 10:00 a. m., March 2, 1951.

(a) Advance period for simultaneous nonpreference filings from 3:24 p. m., April 16, 1948, to 10:00 a. m., March 2, 1951.

5. Applications filed within the periods mentioned in paragraphs 3 (b) and 4 (a) will be treated as simultaneously filed.

A veteran shall accompany his application with a complete photostatic, or other copy (both sides), of his certificate of honorable discharge, or of an official document of his branch of the service which shows clearly his honora-

ble discharge as defined in § 181.36 of Title 43 of the Code of Federal Regulations, or constitutes evidence of other facts upon which the claim for preference is based and which shows clearly the period of service. Other persons claiming credit for service of veterans must furnish like proof in support of their claims. Persons asserting preference rights, through settlement or otherwise, and those having equitable claims, shall accompany their application by duly corroborated statements in support thereof, setting forth in detail all facts relevant to their claims.

6. All of the land will be leased in tracts of approximately 5 acres, each being approximately 330 by 660 feet, the longer dimension to extend north and south.

7. Preference right leases referred to in paragraph 2 will be issued for the land described in the application irrespective of the direction of the tract, provided the tract conforms to or is made to conform to the area and the dimension specified in paragraph 6.

8. Where only one 5-acre tract in a 10-acre subdivision is embraced in a preference right application, an application for the remaining 5-acre tract extending in the same direction will be accepted in order to fill out the subdivision notwithstanding the direction specified in paragraph 6.

9. Leases will be for a period of five years at an annual rental of $5.00 payable for the entire lease period in advance of the issuance of the lease. Leases will contain an option to purchase clause at the appraised value of $10.00 per acre, application for which may be filed at or after the expiration of one year from date the lease is issued.

10. Tracts will be subject to rights-of-way not exceeding 33 feet in width along or near the edges thereof for road purposes and public utilities. Such rights-of-way may be utilized by the Federal Government, or the state, county or municipality in which the tract is situated, or by any agency thereof. The rights-of-way may, in the discretion of the authorized officer of the Bureau of Land Management, be definitely located prior to the issuance of the patent. If not so located, they may be subject to location after patent is issued.

11. All inquiries relating to these lands should be addressed to the Manager, Land Office, Los Angeles, California.

L. T. HOFFMAN,
*Regional Administrator.*

[F. R. Doc. 50-9082; Filed, Oct. 13, 1950; 8:51 a. m.]

## DEPARTMENT OF AGRICULTURE

### Forest Service

TIMBER

DETERMINATION AND DECLARATION OF LAKEVIEW FEDERAL SUSTAINED YIELD UNIT

Whereas, advance notice of the public hearing on the proposed establishment of the Lakeview Federal Sustained Yield Unit was given and published in accordance with the provisions of the act of March 29, 1944 (58 Stat. 132; 16 U. S. C. 583–583i); and

Whereas, such public hearing was held at Lakeview, Oregon, on March 7, 1950; and

Whereas, certain modifications of the original proposal were made and published subsequent to said public hearing and all interested persons were given an opportunity to file additional written statements; and

Whereas, the record of such hearing, including written statements thereafter filed pursuant to an announcement made at such hearing, and pursuant to the published announcement of opportunity to file additional statements, has been carefully considered by me,

Now, therefore, by virtue of the authority vested in me and in accordance with the regulations of the Secretary of Agriculture issued pursuant to the provisions of the act of March 29, 1944 (36 CFR 221.4), I, Lyle F. Watts, Chief of the Forest Service, do hereby find that the stability of the communities of Lakeview and Paisley, Oregon, is primarily dependent upon the sale of timber and other forest products from federally-owned lands, hereinafter described and that such stability cannot effectively be secured by following the usual procedure in selling such timber and other forest products.

It is therefore declared that the Lakeview Federal Sustained Field Unit, consisting of certain national forest lands in the Fremont National Forest, from which the Forest Service will, from time to time, offer timber for sale in accordance with sustained yield plans with the requirement that such timber sold for commercial use, except as otherwise provided, shall be manufactured within (a) the Lakeview community, which is defined as the town of Lakeview and the adjacent area within a radius of six miles of the Lake County Courthouse, or (b) the Paisley community, which is defined as the town of Paisley and the adjacent area within three miles of the center of the town, is hereby established. The exterior boundaries of said unit are described in the parcels as follows:

*Parcel I.* Beginning on the Oregon-California state line at the southeast corner of Section 21, Township 41 South, Range 18 East; thence West to the S¼ corner of Section 21, Township 41 South, Range 15 East; thence North to the N¼ corner of Section 21; thence East to the northeast corner of Section 21; thence North to the northwest corner of Section 10; thence East to the northeast corner of Section 10; thence South to the southeast corner of Section 10; thence East to the southwest corner of Section 12; thence North to the northwest corner of Section 1; thence East to the northeast corner of Section 1, all in Township 41 South, Range 15 East; thence North to the southeast corner of Section 25, Township 40 South, Range 15 East; thence West to the southwest corner of Section 27; thence North to the northwest corner of Section 15; thence West to the S¼ corner of Section 8, all in Township 40 South, Range 15 East; thence North to the N¼ corner of Section 29, Township 39 South, Range 15 East; thence East to the northeast corner of Section 28; thence South to the E¼ corner of Section 28; thence East to the E¼ corner of Section 27; thence South to the southeast corner of Section 27; thence East to the N¼ corner of Section 35; thence South to the S¼ corner of Section 35, all in Township 39 South, Range 15 East; thence East to the northeast corner of Section 1, Township 40 South, Range 15 East; thence South to the northwest corner of Section 7, Township 40 South, Range 16 East; thence East to the northeast corner of Section 8; thence North to the northwest corner of Section 4; thence East to the northeast corner of Section 4, all in Township 40 South, Range 16 East; thence North to the northwest corner of Section 34, Township 38 South, Range 16 East; thence East to the northeast corner of Section 34; thence North to the northwest corner of Section 23, all in Township 38 South, Range 16 East; thence East to the northeast corner of Section 19, Township 38 South, Range 17 East; thence North to the northwest corner of Section 8; thence East to the southwest corner of Section 2; thence North to the northwest corner of Section 2, all in Township 38 South, Range 17 East; thence East to the southwest corner of Section 36, Township 37 South, Range 17 East; thence North to the northwest corner of Section 25; thence West to the southwest corner of Section 23; thence North to the northwest corner of Section 23; thence West to the southwest corner of Section 15; thence North to the northwest corner of Section 10; thence West to the southwest corner of Section 4, all in Township 37 South, Range 17 East; thence North to the northwest corner of Section 28, Township 36 South, Range 17 East; thence West to the southwest corner of Section 19, Township 36 South, Range 17 East; thence North on the Range Line to the southeast corner of Section 1, Township 36 South, Range 16 East; thence West to the southwest corner of Section 1; thence North to the northwest corner of Section 1, all in Township 36 South, Range 16 East; thence West on the Township Line to the southwest corner of Section 31, Township 35 South, Range 16 East; thence North to the northwest corner of Section 30; thence East to the northeast corner of Section 29; thence North to the northwest corner of Section 21; thence East to the northwest corner of Section 23; thence North to the northwest corner of Section 14; thence East to the northwest corner of Section 13, all in Township 35 South, Range 16 East; thence North to the northwest corner of Section 36, Township 34 South, Range 16 East; thence West to the southwest corner of Section 26; thence North to the northwest corner of Section 23; thence East to the northwest corner of Section 24; thence North to the northwest corner of Section 12, all in Township 34 South, Range 16 East; thence East to the northeast corner of Section 7, Township 34 South, Range 17 East; thence North to the northwest corner of Section 5, Township 34 South, Range 17 East; thence East on the Township Line to the southwest corner of Section 32, Township 33 South, Range 17 East; thence North to the northwest corner of Section 29, Township 33 South, Range 17 East; thence West to the southwest corner of Section 24, Township 33 South, Range 16 East; thence North to the northwest corner of Section 24; thence West to the southwest corner of Section 14; thence North to the northwest corner of Section 11; thence West to the southwest corner of Section 3, all in Township 33 South, Range 16 East; thence North to the northwest corner of Section 34, Township 32 South, Range 16 East; thence West to the southwest corner of Section 28, Township 32 South, Range 16 East; thence North to the northwest corner of Section 33, Township 30 South, Range 16 East; thence East to the northeast corner of Section 33; thence North to the northwest corner of Section 22; thence East to the northeast corner of Section 22; thence North to the northwest corner of Section 2; thence East to the N¼ corner of Section 2; thence

South to the S¼ corner of Section 14; thence West to the southwest corner of Section 14; thence South to the E¼ corner Section 22; thence West to the center of Section 22; thence South to the S¼ corner of Section 34, all in Township 30 South, Range 16 East; thence West to the northeast corner of Section 4, Township 31 South, Range 16 East; thence South to the southeast corner of Section 33, Township 31 South, Range 16 East; thence East to the northeast corner of Section 3, Township 32 South, Range 16 East; thence South to the southeast corner of Section 22; thence East to the N¼ corner of Section 26; thence South to the S¼ corner of Section 26; thence East to the northeast corner of Section 35, all in Township 32 South, Range 16 East; thence South to the northwest corner of Section 1, Township 33 South, Range 16 East; thence East to the northeast corner of Section 1; thence South to the southeast corner of Section 1, all in Township 33 South, Range 16 East; thence East to the northeast corner of Section 7, Township 33 South, Range 17 East; thence South to the southeast corner of Section 7; thence East to the N¼ corner of Section 17; thence South to the S¼ corner of Section 17; thence East to the northeast corner of Section 22; thence South to the E¼ corner of Section 22; thence East to the E¼ corner of Section 24; thence South to the southeast corner of Section 24, all in Township 33 South, Range 17 East; thence East to the northeast corner of Section 30, Township 33 South, Range 18 East; thence South to the southeast corner of Section 31, Township 33 South, Range 18 East; thence East on the Township Line to the northeast corner of Section 5, Township 34 South, Range 18 East; thence South to the southeast corner of Section 5; thence East to the northeast corner of Section 12; thence South to the southeast corner of Section 36, all in Township 34 South, Range 18 East; thence East on the Township Line to the N¼ corner of Section 6, Township 35 South, Range 19 East; thence South to the S¼ corner of Section 6; thence East to the northeast corner of Section 7; thence South to the southeast corner of Section 7; thence East to the N¼ corner of Section 17; thence South to the S¼ corner of Section 17; thence East to the northeast corner of Section 21; thence South to the southeast corner of Section 21; thence East to the N¼ corner of Section 27; thence South to the center of Section 34; thence East to the E¼ corner of Section 34, all in Township 35 South, Range 19 East; thence South to the W¼ corner of Section 2, Township 36 South, Range 19 East; thence East to the center of Section 2; thence South to the center of Section 11; thence East to the E¼ corner of Section 11; thence South to the southeast corner of Section 11; thence East to the northeast corner of Section 13, all in Township 36 South, Range 19 East; thence South to the northwest corner of Section 19, Township 36 South, Range 20 East; thence East to the northeast corner of Section 24; thence South to the southeast corner of Section 25; thence West to the southwest corner of Section 25; thence South to the southeast corner of Section 35; thence West to the southwest corner of Section 35, all in Township 36 South, Range 20 East; thence South to the W¼ corner of Section 11, Township 37 South, Range 20 East; thence East to the E¼ corner of Section 11; thence South to the southeast corner of Section 23; thence West to the southwest corner of Section 22; thence North to the northwest corner of Section 22; thence West to the southeast corner of Section 18; thence South to the southeast corner of Section 19; thence West to the southwest corner of Section 19, all in Township 37 South, Range 20 East; thence South to the southeast corner of Section 36, Township 37 South, Range 19 East; thence West to the southwest corner of Section 36, Township 37 South, Range 19 East; thence South to the southeast corner of Section 2, Township 38 South, Range 19 East; thence West to the southwest corner of Section 2; thence South to the southeast corner of Section 10; thence West to the southwest corner of Section 10; thence South to the southeast corner of Section 28; thence West to the southwest corner of Section 30, all in Township 38 South, Range 19 East; thence South to the southeast corner of Section 12, Township 39 South, Range 18 East; thence West to the southwest corner of Section 12; thence South to the southeast corner of Section 14; thence West to the southwest corner of Section 18, all in Township 39 South, Range 18 East; thence South to the southeast corner of Section 1, Township 40 South, Range 17 East; thence East to the northeast corner of Section 11, Township 40 South, Range 18 East; thence South to the E¼ corner of Section 35; thence West to the center of Section 35, all in Township 40 South, Range 18 East; thence South to the S¼ corner of Section 2, Township 41 South, Range 18 East; thence West to the southwest corner of Section 2; thence South to the southeast corner of Section 10; thence West to the southwest corner of Section 10; thence South to the southeast corner of Section 21, all in Township 41 South, Range 18 East, the point of beginning on the Oregon-California state line, all referenced to the Willamette Meridian, State of Oregon.

*Parcel II.* Beginning at the southwest corner of Section 20, Township 41 South, Range 21 East, on the Oregon-California state line; thence North to the northwest corner of Section 5, Township 40 South, Range 21 East; thence East on the Township Line to the southwest corner of Section 32, Township 39 South, Range 21 East; thence North to the northwest corner of Section 32; thence West to the southwest corner of Section 30; thence North to the northwest corner of Section 6, all in Township 39 South, Range 21 East; thence West to the southwest corner of Section 35, Township 38 South, Range 20 East; thence North to the northwest corner of Section 23; thence East to the northeast corner of Section 23; thence North to the northwest corner of Section 13; thence East to the northeast corner of Section 13, all in Township 38 South, Range 20 East; thence North to the W¼ corner of Section 7, Township 38 South, Range 21 East; thence East to the center of Section 7; thence North to the N¼ corner of Section 7; thence East to the northeast corner of Section 7; thence North to the northwest corner of Section 5, all in Township 38 South, Range 21 East; thence West on the Township Line to the southwest corner of Section 32, Township 37 South, Range 21 East; thence North to the northwest corner of Section 29; thence East to the northeast corner of Section 29; thence North to the northwest corner of Section 4, all in Township 37 South, Range 21 East; thence West on the Township Line to the southwest corner of Section 33, Township 36 South, Range 21 East; thence North to the W¼ corner of Section 21; thence East to the center of Section 22; thence North to the N¼ corner of Section 22; thence East to the northeast corner of Section 24, all in Township 36 South, Range 21 East; thence South on the Range Line to the northwest corner of Section 19, Township 36 South, Range 22 East; thence East to the northeast corner of Section 20, Township 36 South, Range 22 East; thence South to the southeast corner of Section 17, Township 37 South, Range 22 East; thence East to the N¼ corner of Section 21; thence South to the center of Section 21; thence East to the E¼ corner of Section 21; thence South to the northeast corner of Section 33; thence East to the northeast corner of Section 34, all in Township 37 South, Range 22 East; thence South to the E¼ corner of Section 15, Township 38 South, Range 22 East; thence West to the center of Section 15; thence South to the S¼ corner of Section 15; thence West to the southeast corner of Section 17; thence South to the southeast corner of Section 20; thence West to the S¼ corner of Section 20; thence South to the S¼ corner of Section 29; thence West to the southeast corner of Section 30; thence South to the southeast corner of Section 31, all in Township 38 South, Range 22 East; thence East to the northeast corner of Section 5, Township 39 South, Range 22 East; thence southerly along the section line to the southeast corner of Section 17; thence East to the northeast corner of Section 21; thence South to the southeast corner of Section 33, all in Township 39 South, Range 22 East; thence West on the Township Line to the N¼ corner of Section 5, Township 40 South, Range 22 East; thence South to the center of Section 8; thence West to the W¼ corner of Section 8; thence South to the northwest corner of the SW¼SW¼ of Section 17; thence East to the center of the SW¼ of Section 17; thence South to the southeast corner of the SW¼SW¼ of Section 17; thence East to the N¼ corner of Section 20; thence South to the northwest corner of the SW¼NE¼ of Section 29; thence East to the northeast corner of the SE¼NE¼ of Section 29; thence South to the southeast corner of Section 29; thence East to the northeast corner of Section 33; thence North to the northwest corner of Section 27; thence East to the northeast corner of Section 27; thence South to the southeast corner of Section 34, all in Township 40 South, Range 22 East; thence East to the northeast corner of Section 2, Township 41 South, Range 22 East; thence South to the southeast corner of Section 23; thence West on the Oregon-California state line to the southwest corner of Section 20, Township 41 South, Range 21 East, the point of beginning, all referenced to the Willamette Meridian, State of Oregon.

The boundaries of the said Lakeview Federal Sustained Yield Unit and the manufacturing areas are shown on maps on file in the offices of the Forest Supervisor at Lakeview, Oregon, of the Regional Forester at Portland, Oregon, and of the Chief, Forest Service, Washington, D. C.

In witness whereof, I have executed this Determination and Declaration on behalf of the United States of America on this 10th day of October 1950.

[SEAL] LYLE F. WATTS,
*Chief, Forest Service.*

[F. R. Doc. 50-9032; Filed, Oct. 12, 1950; 8:53 a. m.]

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## Rural Electrification Administration

[Administrative Order 3040]

NEW MEXICO

LOAN ANNOUNCEMENT

SEPTEMBER 19, 1950.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

| Loan designation: | *Amount* |
|---|---|
| New Mexico 19F Colfax | $1,170,000 |

[SEAL] CLAUDE R. WICKARD,
*Administrator.*

[F. R. Doc. 50-9047; Filed, Oct. 13, 1950; 8:47 a. m.]

[Administrative Order 2941]

NORTH CAROLINA

LOAN ANNOUNCEMENT

SEPTEMBER 19, 1950.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

| Loan designation: | Amount |
|---|---|
| North Carolina 46T Madison | $100,000 |

[SEAL] CLAUDE R. WICKARD,
*Administrator.*

[F. R. Doc. 50-9048; Filed, Oct. 13, 1950; 8:47 a. m.]

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[Administrative Order 2942]

COLORADO

LOAN ANNOUNCEMENT

SEPTEMBER 20, 1950.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

| Loan designation: | Amount |
|---|---|
| Colorado 37L, M Douglas | $1,020,000 |

[SEAL] GEORGE W. HAGGARD,
*Acting Administrator.*

[F. R. Doc. 50-9049; Filed, Oct. 13, 1950; 8:47 a. m.]

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[Administrative Order 2943]

TEXAS

LOAN ANNOUNCEMENT

SEPTEMBER 20, 1950.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

| Loan designation: | Amount |
|---|---|
| Texas 119G Kimble | $95,000 |

[SEAL] GEORGE W. HAGGARD,
*Acting Administrator.*

[F. R. Doc. 50-9050; Filed, Oct. 13, 1950; 8:47 a. m.]

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[Administrative Order 2944]

OREGON

LOAN ANNOUNCEMENT

SEPTEMBER 20, 1950.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

| Loan designation: | Amount |
|---|---|
| Oregon 32K Columbia | $445,000 |

[SEAL] GEORGE W. HAGGARD,
*Acting Administrator.*

[F. R. Doc. 50-9051; Filed, Oct. 13, 1950; 8:47 a. m.]

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[Administrative Order 2945]

MONTANA

LOAN ANNOUNCEMENT

SEPTEMBER 20, 1950.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

| Loan designation: | Amount |
|---|---|
| Montana 10P Madison | $500,000 |

[SEAL] GEORGE W. HAGGARD,
*Acting Administrator.*

[F. R. Doc. 50-9052; Filed, Oct. 13, 1950; 8:47 a. m.]

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[Administrative Order 2946]

MISSOURI

LOAN ANNOUNCEMENT

SEPTEMBER 26, 1950.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

| Loan designation: | Amount |
|---|---|
| Missouri 38U Reynolds | $405,000 |

[SEAL] CLAUDE R. WICKARD,
*Administrator.*

[F. R. Doc. 50-9053; Filed, Oct. 13, 1950; 8:47 a. m.]

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[Administrative Order 2947]

ALABAMA

LOAN ANNOUNCEMENT

SEPTEMBER 26, 1950.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

| Loan Designation: | Amount |
|---|---|
| Alabama 27P Conecuh | $138,000 |

[SEAL] CLAUDE R. WICKARD,
*Administrator.*

[F. R. Doc. 50-9054; Filed, Oct. 13, 1950; 8:47 a. m.]

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[Administrative Order 2948]

IOWA

LOAN ANNOUNCEMENT

SEPTEMBER 26, 1950.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

| Loan designation: | Amount |
|---|---|
| Iowa 80K Ringgold | $110,000 |

[SEAL] CLAUDE R. WICKARD,
*Administrator.*

[F. R. Doc. 50-9055; Filed, Oct. 13, 1950; 8:47 a. m.]

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[Administrative Order 2949]

MINNESOTA

LOAN ANNOUNCEMENT

SEPTEMBER 26, 1950.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

| Loan designation: | Amount |
|---|---|
| Minnesota 85M Todd | $302,000 |

[SEAL] CLAUDE R. WICKARD,
*Administrator.*

[F. R. Doc. 50-9056; Filed, Oct. 13, 1950; 8:47 a. m.]

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[Administrative Order 2950]

ALLOCATION OF FUNDS FOR LOANS

SEPTEMBER 27, 1950.

I hereby amend:

(a) Paragraph (b) of Administrative Order No. 746, dated March 18, 1943, by further reducing the allocation of $10,000 made under Administrative Order No. 268, dated July 7, 1938, for "Virginia 9029W1 Nelson" by $65.05 so that the reduced allocation shall be $8,815.06.

[SEAL] CLAUDE R. WICKARD,
*Administrator.*

[F. R. Doc. 50-9057; Filed, Oct. 13, 1950; 8:48 a. m.]

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[Administrative Order 2951]

ARKANSAS

LOAN ANNOUNCEMENT

SEPTEMBER 27, 1950.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

| Loan designation: | Amount |
|---|---|
| Arkansas 30V Arkansas | $50,000 |

[SEAL] CLAUDE R. WICKARD,
*Administrator.*

[F. R. Doc. 50-9058; Filed, Oct. 13, 1950; 8:48 a. m.]

[Administrative Order 2952]

OKLAHOMA

LOAN ANNOUNCEMENT

SEPTEMBER 28, 1950.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

| Loan designation: | Amount |
|---|---|
| Oklahoma 30R Choctaw | $25,000 |

[SEAL] CLAUDE R. WICKARD, *Administrator.*

[F. R. Doc. 50-9059; Filed, Oct. 13, 1950; 8:48 a. m.]

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[Administrative Order 2953]

SOUTH CAROLINA

LOAN ANNOUNCEMENT

SEPTEMBER 29, 1950.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

| Loan designation: | Amount |
|---|---|
| South Carolina 31S Horry | $220,000 |

[SEAL] CLAUDE R. WICKARD, *Administrator.*

[F. R. Doc. 50-9060; Filed, Oct. 13, 1950; 8:48 a. m.]

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[Administrative Order 2954]

SOUTH DAKOTA

LOAN ANNOUNCEMENT

SEPTEMBER 29, 1950.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

| Loan designation: | Amount |
|---|---|
| South Dakota 38C Dewey | $1,300,000 |

[SEAL] CLAUDE R. WICKARD, *Administrator.*

[F. R. Doc. 50-9061; Filed, Oct. 13, 1950; 8:48 a. m.]

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[Administrative Order 2955]

FARMS IN U. S. WITHOUT CENTRAL STATION ELECTRIC SERVICE

SEPTEMBER 29, 1950.

Pursuant to section 3 (c) of the Rural Electrification Act of 1936 and upon information and data in the files of the Rural Electrification Administration, I hereby determine that the number of farms not receiving central station electric service for each State and the number of such farms for the United States at the beginning of the current fiscal year are as set forth in the following schedule.

| | *Farms without central station electric service June 30, 1950* |
|---|---|
| United States | 605,493 |
| Alabama | 25,661 |
| Arizona | 1,303 |
| Arkansas | 34,489 |
| California | 2,113 |
| Colorado | 4,048 |
| Connecticut | 25 |
| Delaware | 374 |
| Florida | 10,273 |
| Georgia | 9,702 |
| Idaho | 447 |
| Illinois | 5,719 |
| Indiana | 1,936 |
| Iowa | 9,402 |
| Kansas | 36,468 |
| Kentucky | 52,436 |
| Louisiana | 19,473 |
| Maine | 9,081 |
| Maryland | 1,146 |
| Massachusetts | 851 |
| Michigan | 1,525 |
| Minnesota | 23,079 |
| Mississippi | 111,489 |
| Missouri | 57,503 |
| Montana | 10,671 |
| Nebraska | 30,117 |
| Nevada | 1,124 |
| New Hampshire | 634 |
| New Jersey | 147 |
| New Mexico | 10,260 |
| New York | 6,355 |
| North Carolina | 32,844 |
| North Dakota | 30,892 |
| Ohio | 832 |
| Oklahoma | 53,308 |
| Oregon | 316 |
| Pennsylvania | 9,212 |
| Rhode Island | 4 |
| South Carolina | 20,181 |
| South Dakota | 27,441 |
| Tennessee | 41,414 |
| Texas | 50,471 |
| Utah | 4,837 |
| Vermont | 3,666 |
| Virginia | 15,575 |
| Washington | 1,294 |
| West Virginia | 20,525 |
| Wisconsin | 11,930 |
| Wyoming | 2,900 |

[SEAL] CLAUDE R. WICKARD, *Administrator.*

[F. R. Doc. 50-9062; Filed, Oct. 13, 1950; 8:48 a. m.]

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[Administrative Order 2956]

FLORIDA

LOAN ANNOUNCEMENT

OCTOBER 2, 1950.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

| Loan designation: | Amount |
|---|---|
| Florida 35G Glades | $50,000 |

[SEAL] CLAUDE R. WICKARD, *Administrator.*

[F. R. Doc. 50-9063; Filed, Oct. 13, 1950; 8:48 a. m.]

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[Administrative Order 2957]

TEXAS

LOAN ANNOUNCEMENT

OCTOBER 3, 1950.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

| Loan designation: | Amount |
|---|---|
| Texas 104N Mitchell | $80,000 |

[SEAL] CLAUDE R. WICKARD, *Administrator.*

[F. R. Doc. 50-9064; Filed, Oct. 13, 1950; 8:48 a. m.]

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[Administrative Order 2958]

LOUISIANA

LOAN ANNOUNCEMENT

OCTOBER 3, 1950.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

| Loan designation: | Amount |
|---|---|
| Louisiana 13U East Baton Rouge | $295,000 |

[SEAL] CLAUDE R. WICKARD, *Administrator.*

[F. R. Doc. 50-9065; Filed, Oct. 13, 1950; 8:48 a. m.]

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[Administrative Order 2959]

GEORGIA

LOAN ANNOUNCEMENT

OCTOBER 3, 1950.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

| Loan designation: | Amount |
|---|---|
| Georgia 92L Brantley | $125,000 |

[SEAL] CLAUDE R. WICKARD, *Administrator.*

[F. R. Doc. 50-9066; Filed, Oct. 13, 1950; 8:48 a. m.]

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[Administrative Order 2960]

WASHINGTON

LOAN ANNOUNCEMENT

OCTOBER 4, 1950.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Ad-

ministrator of the Rural Electrification Administration:

| Loan designation: | Amount |
|---|---|
| Washington 14G King | $29,000 |

[SEAL] WM. C. WISE,
*Acting Administrator.*

[F. R. Doc. 50-9067; Filed, Oct. 13, 1950; 8:49 a. m.]

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[Administrative Order No. 2961]

MINNESOTA

LOAN ANNOUNCEMENT

OCTOBER 4, 1950.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

| Loan designation: | Amount |
|---|---|
| Minnesota 82P Becker | $57,000 |

[SEAL] WM. C. WISE,
*Acting Administrator.*

[F. R. Doc. 50-9068; Filed, Oct. 13, 1950; 8:49 a. m.]

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[Administrative Order 2962]

MINNESOTA

LOAN ANNOUNCEMENT

OCTOBER 5, 1950.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

| Loan designation: | Amount |
|---|---|
| Minnesota 9H Goodhue | $240,000 |

[SEAL] WM. C. WISE,
*Acting Administrator.*

[F. R. Doc. 50-9069; Filed, Oct. 13, 1950; 8:49 a. m.]

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[Administrative Order T-3]

TEXAS

LOAN ANNOUNCEMENT

SEPTEMBER 22, 1950.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

| Loan designation: | Amount |
|---|---|
| Navasota Telephone Co., Texas 514-A | $25,000 |

[SEAL] CLAUDE R. WICKARD,
*Administrator.*

[F. R. Doc. 50-9070; Filed, Oct. 13, 1950; 8:49 a. m.]

[Administrative Order T-4]

ALABAMA

LOAN ANNOUNCEMENT

SEPTEMBER 29, 1950.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

| Loan designation: | Amount |
|---|---|
| The Florala Telephone Co., Inc., Alabama 504-A | $309,000 |

[SEAL] CLAUDE R. WICKARD,
*Administrator.*

[F. R. Doc. 50-9071; Filed, Oct. 13, 1950; 8:49 a. m.]

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## CIVIL AERONAUTICS BOARD

[Docket No. 4364]

COMPANIA DOMINICANA DE AVIACION, C. POR A.; CIUDAD TRUJILLO-MIAMI AND CIUDAD TRUJILLO-SAN JUAN SERVICE

NOTICE OF HEARING

In the matter of the application of Compania Dominicana De Aviacion, C. Por A., for a foreign air carrier permit authorizing the foreign air transportation of persons, property and mail (a) between the terminal points Ciudad Trujillo, Dominican Republic, and Miami, Fla., and (b) between the terminal points Ciudad Trujillo, Dominican Republic, and San Juan, Puerto Rico.

Notice is hereby given, pursuant to the Civil Aeronautics Act of 1938, as amended, particularly sections 402 and 1001 of said act, that a hearing in the above-entitled proceeding is assigned to be held on November 7, 1950, at 10:00 a. m., (e. s. t.) in Room E-214, Wing "C", Temporary Building No. 5, 16th Street and Constitution Avenue NW., Washington, D. C., before Examiner Curtis C. Henderson.

Without limiting the scope of the issues presented by said application, particular attention will be directed to the following matters and questions:

1. Whether the proposed air transportation will be in the public interest, as defined in section 2 of the Civil Aeronautics Act of 1938, as amended.

2. Whether the applicant is fit, willing, and able to perform such transportation and to conform to the provisions of the act and the rules, regulations, and requirements of the Board thereunder.

3. Whether the authorization of the proposed transportation is consistent with any obligation assumed by the United States in any treaty, convention or agreement in force between the United States and the Dominican Republic.

Notice is further given that any person desiring to be heard in this proceeding must file with the Board, on or before November 7, 1950, a statement setting forth the issues of fact or law raised by said application which he desires to controvert.

For further details of the service proposed and authorization requested, interested parties are referred to the application on file with the Civil Aeronautics Board.

Dated at Washington, D. C., October 10, 1950.

By the Civil Aeronautics Board.

[SEAL] M. C. MULLIGAN,
*Secretary.*

[F. R. Doc. 50-9080; Filed, Oct. 13, 1950; 8:50 a. m.]

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## FEDERAL POWER COMMISSION

[Docket No. G-1499]

EL PASO NATURAL GAS CO.

NOTICE OF APPLICATION

OCTOBER 10, 1950.

Take notice that El Paso Natural Gas Company (Applicant), a Deleware corporation, address 1010 Bassett Tower, El Paso, Texas, filed on September 29, 1950 an application for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, as amended, authorizing the construction and operation of certain natural-gas transmission pipeline facilities hereinafter described.

Applicant proposes to transport approximately 11,000,000 cubic feet daily of natural gas from the Skelly Oil Company's North Eunice gasoline plant to its existing Eunice field plant by means of a 12¾ inch pipe line of approximately 8.86 miles in length located within Lea County, New Mexico. The natural gas so transported is for the purpose of supplementing Applicant's present supply for its existing markets.

The estimated cost of the proposed facilities is $173,650.00 which will be financed out of current working funds.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the rules of practice and procedure [18 CFR 1.8 or 1.10] on or before the 20th day of October 1950. The application is on file with the Commission for public inspection.

[SEAL] LEON M. FUQUAY,
*Secretary.*

[F. R. Doc. 50-9033; Filed, Oct. 13, 1950; 8:45 a. m.]

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[Docket No. G-1489]

TEXAS GAS TRANSMISSION CORP.

NOTICE OF APPLICATION

OCTOBER 10, 1950.

Take notice that on September 22, 1950, Texas Gas Transmission Corporation, a Delaware corporation, having offices at 416 West Third Street, Owensboro, Kentucky, filed an application pursuant to section 7 of the Natural Gas Act, as amended, for a certificate of public convenience and necessity authorizing the construction and operation of a direct industrial gas sales metering station, and the sale of natural gas to the American Vitrified Products Company at a point near Brazil, Indiana.

Protests or petitions to intervene should be filed with the Federal Power

Commission, Washington 25, D. C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) before the 30th day of October 1950. The application is on file with the Commission for public inspection.

[SEAL] LEON M. FUQUAY, *Secretary.*

[F. R. Doc. 50-9034; Filed, Oct. 13, 1950; 8:45 a. m.]

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[Docket No. G-1500]

TEXAS EASTERN TRANSMISSION CORP.

NOTICE OF APPLICATION

OCTOBER 10, 1950.

Take notice that on October 3, 1950, Texas Eastern Transmission Corporation, a Delaware corporation, having its principal office at Commerce Building, Shreveport, Louisiana, filed an application pursuant to section 7 of the Natural Gas Act, as amended, seeking authorization to operate and maintain certain interconnections between its facilities and the facilities of Arkansas-Louisiana Gas Company (Arkansas) at a point on the Arkansas River near Little Rock, Arkansas, which were constructed pursuant to § 157.14 of the Commission's general rules of practice and procedure, and to exchange natural gas with Arkansas in time of emergency.

Protests or petitions to intervene should be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) before the 30th day of October 1950. The application is on file with the Commission for public inspection.

[SEAL] LEON M. FUQUAY, *Secretary.*

[F. R. Doc. 50-9035; Filed, Oct. 13, 1950; 8:45 a. m.]

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## HOUSING AND HOME FINANCE AGENCY

### Federal Housing Administration

FIELD ORGANIZATION

The following entries in Section 22 (b) (5) are amended thus:

Delete the address, "Platt Building," opposite "Portland, Oregon" and substitute therefor the following address: "8th Floor, Lincoln Building, 208 S. W. Fifth Avenue."

Delete the address, "Federal Building," opposite "Helena, Montana" and substitute therefor the following address: "Securities Building, Main & Grand Streets."

Delete the address, "Rusk Building," opposite "Houston, Texas" and substitute therefor the following address: "1220 Dallas Avenue."

Delete the address, "Anglo Bank Building," opposite "Fresno, California" and substitute therefor the following address: "Droge Building, Van Ness and Inyo Streets."

Delete the address, "Post Office Building," opposite "Dayton, Ohio" and substitute therefor the following address: "Room 413 Realty Building, 132 North Main Street."

Under the State of Texas and following Dallas insert:

City: El Paso.[1]

Address: Rooms 130 and 134, United States Courthouse Building.

Jurisdiction: Counties of Dona Ana, Grant, Hidalgo, Luna and Otero in New Mexico; and counties of Brewster, Culberson, El Paso, Hudspeth, Jeff Davis, Loving, Presidio and Reeves in Texas.

VINCENT A. CARLIN, *Director, Administrative Services.*

[F. R. Doc. 50-9073; Filed, Oct. 13, 1950; 8:49 a. m.]

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## INTERSTATE COMMERCE COMMISSION

[4th Sec. Application 25469]

BITUMINOUS COAL IN OFFICIAL TERRITORY

APPLICATION FOR RELIEF

OCTOBER 11, 1950.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: Roy S. Kern, Agent, for and on behalf of carriers parties to applications and orders listed in the application.

Commodities involved: Bituminous coal and articles taking the same rates, carloads.

From: Points in Ohio, Pennsylvania, Maryland, West Virginia, Virginia, Tennessee and Kentucky.

To: Points in central territory, including Illinois territory and Buffalo-Rochester groups.

Grounds for relief: To restore rate relationships.

Schedules filed containing proposed rates: An amended application will have to be filed when proposed rates are published.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 50-9037; Filed, Oct. 13, 1950; 8:45 a. m.]

[1] Indicates a service office serving adjacent areas but reporting to the insuring office in Albuquerque, New Mexico.

[4th Sec. Application 25470]

COKE FROM BIRMINGHAM, ALA., TO SANFORD, N. C.

APPLICATION FOR RELIEF

OCTOBER 11, 1950.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: R. E. Boyle, Jr., Agent, for and on behalf of the Alabama Great Southern Railroad Company and other carriers named in the application.

Commodities involved: Coke, coke breeze, coke dust and coke screenings, carloads.

From: Birmingham, Ala., and points in the Birmingham district.

To: Sanford, N. C.

Grounds for relief: Circuitous routes.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 50-9038; Filed, Oct. 13, 1950; 8:45 a. m.]

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[4th Sec. Application 25471]

PAPER ARTICLES FROM PENSACOLA, FLA., TO ATCHISON, KANS., AND ST. JOSEPH, MO.

APPLICATION FOR RELIEF

OCTOBER 11, 1950.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: R. E. Boyle, Jr., Agent, for and on behalf of carriers parties to Agent W. P. Emerson, Jr.'s tariff I. C. C. No. 402.

Commodities involved: Paper bags and wrapping paper, carloads.

From: Pensacola and North Pensacola, Fla.

To: Atchison, Kans., and St. Joseph, Mo.

Grounds for relief: Circuitous routes.

Schedules filed containing proposed rates: W. P. Emerson, Jr.'s tariff I. C. C. No. 402, Supplement 5.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission

in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 50-9039; Filed, Oct. 13, 1950; 8:45 a. m.]

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[4th Sec. Application 25472]

COKE FROM HOPEWELL, VA., TO STANTONSBURG, N. C.

APPLICATION FOR RELIEF

OCTOBER 11, 1950.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: R. E. Boyle, Jr., Agent, for and on behalf of the Norfolk and Western Railway Company and Norfolk Southern Railway Company.

Commodities involved: Coke, coke breeze, coke dust and coke screenings, carloads.

From: Hopewell, Va.

To: Stantonsburg, N. C.

Grounds for relief: Circuitous routes.

Schedules filed containing proposed rates: C. A. Spaninger's tariff I. C. C. No. 1150, Supplement 10.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 50-9040; Filed, Oct. 13, 1950; 8:45 a. m.]

## NATIONAL LABOR RELATIONS BOARD

GENERAL COUNSEL

DESCRIPTION OF AUTHORITY AND ASSIGNMENT OF RESPONSIBILITIES

The statutory authority and responsibility of the General Counsel of the Board are defined in section 3 (d) of the National Labor Relations Act as follows:

> There shall be a General Counsel of the Board who shall be appointed by the President, by and with the advice and consent of the Senate, for a term of four years. The General Counsel of the Board shall exercise general supervision over all attorneys employed by the Board (other than trial examiners and legal assistants to Board members) and over the officers and employees in the regional offices. He shall have final authority, on behalf of the Board, in respect of the investigation of charges and issuance of complaints under Section 10, and in respect of the prosecution of such complaints before the Board, and shall have such other duties as the Board may prescribe or as may be provided by law.

This memorandum is intended to describe the statutory authority and to set forth the prescribed duties and authority of the General Counsel of the Board, effective October 10, 1950:

I. *Case handling*—A. *Complaint cases.* The General Counsel of the Board has full and final authority and responsibility, on behalf of the Board, to accept and investigate charges filed, to enter into and approve informal settlement of charges, to dismiss charges, to determine matters concerning consolidation and severance of cases before complaint issues, to issue complaints and notices of hearing, to appear before trial examiners in hearings on complaints and prosecute as provided in the Board's rules and regulations, and to initiate and prosecute injunction proceedings as provided for in section 10 (1) of the act. After issuance of Intermediate Report by the Trial Examiner, the General Counsel may file exceptions and briefs and appear before the Board in oral argument, subject to the Board's rules and regulations.

B. *Court litigation.* The General Counsel of the Board is authorized and has responsibility, on behalf of the Board, to seek and effect compliance with the Board's orders and make such compliance reports to the Board as it may from time to time require.

On behalf of the Board, the General Counsel of the Board will in full accordance with the directions of the Board, petition for enforcement and resist petitions for review of Board orders as provided in section 10 (e) and (f) of the act, initiate and prosecute injunction proceedings as provided in section 10 (j), seek temporary restraining orders as provided in section 10 (e) and (f), and take appeals either by writ of error or on petition for certiorari to the Supreme Court: *Provided, however,* That the General Counsel will initiate and conduct injunction proceedings under section 10 (j) or under section 10 (e) and (f) of the act and contempt proceedings pertaining to the enforcement of or compliance with any order of the Board only upon approval of the Board, and will initiate and conduct appeals to the Supreme Court by writ of error or on petition for certiorari when authorized by the Board.

C. *Representation and other election cases.* The General Counsel of the Board is authorized and has responsibility, on behalf of the Board, to receive and process, in accordance with the decisions of the Board and with such instructions and rules and regulations as may be issued by the Board from time to time, all petitions filed pursuant to section 9 of the National Labor Relations Act as amended. He is also authorized and has responsibility to conduct secret ballots pursuant to section 209 (b) of the Labor Management Relations Act of 1947, whenever the Board is required to do so by law; and to enter into consent election agreements in accordance with section 9 (c) (4) of the act.

The authority and responsibility of the General Counsel of the Board in representation cases shall extend, in accordance with the rules and regulations of the Board, to all phases of the investigation through the conclusion of the hearing provided for in section 9 (c) and section 9 (e) (if a hearing should be necessary to resolve disputed issues), but all matters involving decisional action after such hearing are reserved by the Board to itself.

In the event a direction of election should issue by the Board, the authority and responsibility of the General Counsel, as herein prescribed, shall attach to the conduct of the ordered election, the initial determination of the validity of challenges and objections to the conduct of the election and other similar matters; except that if appeals shall be taken from the General Counsel's action on the validity of challenges and objections, such appeals will be directed to and decided by the Board in accordance with such procedural requirements as it shall prescribe. If challenged ballots would not affect the election results and if no objections are filed within five days after the conduct of a Board-directed election under the provisions of section 9 (c) of the act, the General Counsel is authorized and has responsibility, on behalf of the Board, to certify to the parties the results of the election in accordance with regulations prescribed by the Board.

Appeals from the refusal of the General Counsel of the Board to issue a notice of hearing on any petition, or from the dismissal by the General Counsel of any petition, will be directed to and decided by the Board, in accordance with such procedural requirements as it may prescribe.

In processing election petitions filed pursuant to section 9 (e) of the act, the General Counsel of the Board is authorized and has responsibility, on behalf of the Board, to conduct an appropriate investigation as to the authenticity of the 30 percent showing referred to and, upon making his determination to proceed, to conduct a secret ballot. If there are no challenges or objections which require a hearing by the Board, he shall certify the results thereof as provided for in such section, with appropriate copies lodged in the Washington files of the Board.

D. *Jurisdictional dispute cases.* The General Counsel of the Board is authorized and has responsibility, on behalf of the Board, to perform all functions necessary to the accomplishment of the provisions of section 10 (k) of the act, but in connection therewith the Board will, at the request of the General Counsel, assign to him for the purpose of conducting the hearing provided for therein, one of its staff Trial Examiners. This authority and responsibility and the assignment of the Trial Examiner to the General Counsel shall terminate with the close of the hearing. Thereafter the Board will assume full jurisdiction over the matter for the purpose of deciding the issues in such hearing on the record made and subsequent hearings or related proceedings and will also rule upon any appeals.

II. *Internal regulations.* Procedural and operational regulations for the conduct of the internal business of the Board within the area that is under the supervision and direction of the General Counsel of the Board may be prepared and promulgated by the General Counsel.

III. *State agreements.* When authorized by the Board, the General Counsel may initiate and conduct discussions and negotiations, on behalf of the Board, with appropriate authorities of any of the States or Territories looking to the consummation of agreements affecting any of the States or Territories as contemplated in section 10 (a) of the act: *Provided, however,* That in no event shall the Board be committed in any respect with regard to such discussions or negotiations or the entry into of any such agreement unless and until the Board and the General Counsel have joined with the appropriate authorities of the State or Territory affected in the execution of such agreement.

IV. *Liaison with other governmental agencies.* The General Counsel of the Board is authorized and has responsibility, on behalf of the Board, to maintain appropriate and adequate liaison and arrangements with the office of the Secretary of Labor, with reference to the reports required to be filed pursuant to section 9 (f) and (g) of the act and availability to the Board and the General Counsel of the contents thereof.

The General Counsel of the Board is authorized and has responsibility, on behalf of the Board, to maintain appropriate and adequate liaison with the Federal Mediation and Conciliation Service and any other appropriate Governmental Agency with respect to functions which may be performed in connection with the provisions of section 209 (b) of the act. Any action taken pursuant to the authority and responsibility prescribed in this paragraph shall be promptly reported to the Board.

V. *Anti-Communist affidavits.* The General Counsel of the Board is authorized and has responsibility, on behalf of the Board, to receive the affidavits required under section 9 (h) of the act, to maintain an appropriate and adequate file thereof, and to make available to the public, on such terms as he may prescribe, appropriate information concerning such affidavits, but not to make such files open to unsupervised inspection.

VI. *Miscellaneous litigation involving Board and/or officials.* The General Counsel of the Board is authorized and has responsibility, on behalf of the Board, to appear in any court to represent the Board or any of its Members or agents, unless directed otherwise by the Board.

VII. *Personnel.* In order better to ensure the effective exercise of the duties and responsibilities described above, the General Counsel of the Board, subject to applicable laws and the rules and regulations of the Civil Service Commission, is authorized and has responsibility, on behalf of the Board, to select, appoint, retain, transfer, promote, demote, discipline, discharge, and take any other necessary and appropriate personnel action with regard to, all personnel engaged in the field offices and in the Washington office (other than Trial Examiners, Legal Assistants to Board Members, the personnel in the Information Division, the personnel in the Division of Administration, the Solicitor of the Board and personnel in his office, the Executive Secretary of the Board and personnel in his office, including the Order Section —, and secretarial, stenographic and clerical employees assigned exclusively to the work of trial examiners and the Board Members): *Provided, however,* That no appointment, transfer, demotion or discharge of any Regional Director shall become effective except upon the approval of the Board.

In connection with and in order to effectuate the exercise of the powers herein delegated (but not with respect to those powers herein reserved to the Board), the General Counsel is authorized, using the services of the Division of Administration, to execute such necessary requests, certifications, and other related documents, on behalf of the Board, as may be needed from time to time to meet the requirements of the Civil Service Commission, the Bureau of the Budget, or any other governmental agency. The Board will at all times provide such of the "housekeeping" functions performed by the Division of Administration as are requested by the General Counsel for the conduct of his administrative business, so as to meet the stated requirements of the General Counsel within his statutory and prescribed functions.

The establishment, transfer or elimination of any Regional or Sub-Regional Office shall require the approval of the Board.

VIII. To the extent that the above-described duties, powers and authority rest by statute with the Board, the foregoing statement constitutes a prescription and assignment of such duties, powers and authority, whether or not so specified.

Effective date: October 10, 1950.

Dated: Washington, D. C., October 10, 1950.

By direction of the Board.

[SEAL] FRANK M. KLEILER,
*Executive Secretary.*

[F. R. Doc. 50-9041; Filed, Oct. 13, 1950; 8:46 a. m.]



## SECURITIES AND EXCHANGE COMMISSION

[File No. 70-2452]

UTAH POWER & LIGHT CO.

SUPPLEMENTAL ORDER RELEASING JURISDICTION AND PERMITTING AMENDMENT TO DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission held at its office in the city of Washington, D. C. on the 10th day of October A. D. 1950.

Utah Power & Light Company ("Utah"), a registered holding company, and a utility operating company, having filed a declaration and amendments thereto, pursuant to the Public Utility Holding Company Act of 1935, particularly sections 6 (a) and 7 thereof and Rule U-50 thereunder, regarding the issue and sale at competitive bidding of 166,604 additional shares of its common stock, subject to a rights offering to its present stockholders, and $8,000,000 principal amount of its First Mortgage Bonds, ---- percent series due 1980;

The Commission having by order dated August 29, 1950, permitted said declaration, as then amended, to become effective subject to the condition that the proposed sales of securities not be consummated until the results of competitive bidding pursuant to Rule U-50 had been made a matter of record in this proceeding and a further order entered by the Commission in the light of the record as so completed, and subject to a reservation of jurisdiction with respect to the payment of all counsel fees and expenses in connection with the proposed transactions, including the fees and expenses of counsel for the successful bidders; and

Utah having, on September 12, 1950, filed amendment No. 2 to its declaration setting forth that it had first requested bids for the common stock only, and the Commission having by order dated September 12, 1950, authorized the sale of the common stock to the highest bidder for said shares; and

The Commission's order of September 12, 1950, having continued in effect the reservation of jurisdiction contained in the order of August 29, 1950, with respect to the sale of the Bonds and having reserved jurisdiction with respect to counsel fees and expenses in connection with the sale of both the Bonds and Common Stock, including the fees and expenses of counsel for the successful bidders; and

Utah having filed amendment No. 3 to its declaration setting forth that it had invited bids for the Bonds and that in accordance with such invitation received the seven following bids for said Bonds:

| Underwriter | Coupon rate | Price to company | Annual cost to company |
|---|---|---|---|
| Kidder, Peabody & Co. | 2¾% | 100.1791 | 2.8661 |
| Lehman Bros., Bear, Stearns & Co., White, Weld & Co. | 2¾% | 100.13 | 2.8685 |
| | 2¾% | 100.117 | 2.8692 |
| Halsey, Stuart & Co., Inc. | 2¾% | 100.11 | 2.8695 |
| Solomon Bros & Hutzler | 2¾% | 100.0759 | 2.8712 |
| The First Boston Corp. | 2¾% | 100.069 | 2.8715 |
| Union Securities Corp., Smith, Barney & Co. | 2¾% | 100.007 | 2.8746 |

The amendment further stating that Utah has accepted the bid of the underwriting group headed by Kidder, Peabody & Co., as set out above, and that the bonds will be offered for sale to the public at a price of 100.501 percent of the principal amount thereof resulting in a gross spread of 0.3219 percent per unit, or a total underwriters' spread of $25,752; and

The record now having been completed with respect to fees and expenses incurred in connection with the sale of said Bonds and Common Stock, and the Commission finding that the proposed payment of counsel fees in the amount of $8,000 to Reid & Priest, New York counsel for Utah, and $7,000 to Beekman & Bogue, counsel for the successful bidders for said Bonds and Common Stock, whose fee is to be paid by the successful bidder, are not unreasonable, and the Commission having examined said amendment and having considered the record herein and finding no reason for imposing terms and conditions, other than those contained in Rule U-24, with respect to said matters:

*It is ordered*, That jurisdiction heretofore reserved with respect to the matter to be determined as a result of competitive bidding for said Bonds under Rule U-50 be, and the same hereby is, released, and that the amendment filed on October 10, 1950, to the declaration be, and the same hereby is, permitted to become effective, forthwith, subject however to the terms and conditions prescribed in Rule U-24.

*It is further ordered*, That jurisdiction heretofore reserved with respect to fees and expenses of counsel with respect to the issue and sale of Bonds and said Stock, including fees payable to counsel for the successful bidders be, and the same hereby is, released.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 50-9074; Filed, Oct. 13, 1950; 8:49 a. m.]

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[File No. 70-2484]

INTERSTATE POWER CO. AND INTERSTATE POWER COMPANY OF WISCONSIN

ORDER PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission held at its office in the city of Washington, D. C., on the 10th day of October A. D. 1950.

Interstate Power Company ("Interstate"), a registered holding company, and its wholly-owned public utility subsidiary company, Interstate Power Company of Wisconsin ("Interstate of Wisconsin"), having filed a joint declaration with this Commission pursuant to sections 6, 7, 9, 10 and 12 of the Public Utility Holding Company Act of 1935 ("act"), regarding the issuance by Interstate of Wisconsin of 3,000 shares of its common stock, $100.00 par value per share, and the acquisition of said stock by Interstate in consideration of the cancellation and discharge by Interstate of $300,000 principal amount of the outstanding open account indebtedness owed it by Interstate of Wisconsin, said open account indebtedness (amounting in total of $303,701 as of July 31, 1950) representing advances made by the parent to the subsidiary largely for construction purposes; and

Said joint declaration having been filed on September 21, 1950, and notice of filing having been duly given in the form and manner prescribed by Rule U-23 under the act, and the Commission not having received a request for hearing with respect to said declaration within the period specified in said notice, or otherwise, and not having ordered a hearing thereon; and

The Public Service Commission of Wisconsin, the only State Commission having jurisdiction over the proposed transaction, having duly authorized the proposed transaction insofar as it affects Interstate of Wisconsin; and

Declarants having requested that our order to be entered in respect of this matter become effective forthwith upon issuance; and

The Commission finding with respect to said joint declaration that the applicable provisions of the act and the rules and regulations promulgated thereunder have been satisfied and that there is no basis for imposing terms and conditions except those specified in Rule U-24, and deeming it appropriate in the public interest and in the interest of investors and consumers that said joint declaration be permitted to become effective; and the Commission further deeming it appropriate to grant the declarants' requests that our order herein become effective forthwith:

*It is ordered*, That, pursuant to Rule U-23 and subject to the terms and conditions prescribed in Rule U-24, said joint declaration be, and hereby is, permitted to become effective forthwith.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 50-9075; Filed, Oct. 13, 1950; 8:49 a. m.]

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[File No. 54-136]

LONG ISLAND LIGHTING CO. ET AL.

ORDER APPROVING POST-EFFECTIVE AMENDMENT TO PLAN AND RELEASING JURISDICTION

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 10th day of October A. D. 1950.

In the matter of Long Island Lighting Company, Queens Borough Gas And Electric Company and Nassau and Suffolk Lighting Company, File No. 54-136.

Long Island Lighting Company ("Long Island"), a registered holding company, and its subsidiaries, Queens Borough Gas and Electric Company ("Queens"), and Nassau & Suffolk Lighting Company ("Nassau"), having jointly filed, pursuant to section 11 (e) of the Public Utility Holding Company Act of 1935 ("act"), an amended plan for the consolidation of Long Island, Queens, and Nassau and for the recapitalization of the resultant consolidated corporation which is to be called Long Island Lighting Company ("Consolidated Corporation"); and

The Commission having entered its findings and opinion (Holding Company Act Release No. 9473) and order (Holding Company Act Release No. 9510) approving such plan, as amended, subject, among other things, to reservation of jurisdiction with respect to the transactions incident to the consummation of the plan, as amended; and

A post-effective amendment to said plan having been filed (a) with respect to the newspaper publications, and material to be mailed the holders of participating securities, advising them of the consummation date of the plan, and (b) with respect to the proposal to employ the Bank of the Manhattan Company as exchange agent for the exchange of securities of the constituent companies for securities of the Consolidated Corporation; and

The Commission having considered such post-effective amendment to the plan and deeming it appropriate in the public interest and in the interest of investors and consumers to permit said amendment to become effective forthwith, and being satisfied that competitive conditions were maintained with respect to the choice of the proposed escrow agent and that the proposed fees and expenses of such escrow agent are not unreasonable, and that it is appropriate that the jurisdiction heretofore reserved with respect to the fees and expenses of the escrow agent be released;

*It is hereby ordered*, That said post-effective amendment be, and hereby is, approved and permitted to become effective forthwith, and that the jurisdiction heretofore reserved over the fees and expenses of the escrow agent be, and hereby is, released.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 50-9076; Filed, Oct. 13, 1950; 8:50 a. m.]

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[File No. 70-2445]

QUEENS BOROUGH GAS AND ELECTRIC CO.

ORDER PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 10th day of October A. D. 1950.

Queens Borough Gas and Electric Company ("Queens"), a subsidiary of Long Island Lighting Company ("Long Island"), a registered holding company, having filed a declaration pursuant to sections 6 and 7 of the Public Utility Holding Company Act of 1935 ("act"), with respect to the following transactions:

Queens has outstanding in the hands of the public $799,000 principal amount of 5 percent General Mortgage Bonds due 1952, $1,154,000 principal amount of 3½ percent Refunding Mortgage Bonds due 1961, and $8,652,000 principal amount of 4 percent Refunding Mortgage Bonds due 1961, all of which are secured by mortgages on the properties presently owned by Queens. Queens also has outstanding in the hands of the public $3,393,000 principal amount of 5½ percent unsecured Debentures due 1952. Under the terms of the indenture pursuant to which the Debentures were issued, no mortgage or like encumbrance (except the mortgages securing the General Mortgage Bonds due 1952 and the Refunding Mortgage Bonds due 1961) may be placed or permitted to exist upon any of the properties owned by Queens unless all of the Debentures issued under the Debenture indenture are first secured by a mortgage.

A plan of consolidation and recapitalization for Long Island, Queens, and Nassau & Suffolk Light Company ("Nassau"), a subsidiary of Queens, filed pursuant to section 11 (e) of the act, has been approved by this Commission, ordered enforced by the United States District Court for the Eastern District of New York, and affirmed by the United States Court of Appeals for the Second Circuit. A petition for certiorari to review such affirmance has been denied by the United States Supreme Court. Upon consolidation, the lien of the mortgage securing certain bonds of Long Island would attach to the properties owned by Queens.

Accordingly, in order to satisfy the terms of the indenture pursuant to which the Queens Debentures were issued, that company proposes, immediately prior to the consolidation of Long Island, Queens and Nassau, to secure the Debentures by placing its properties under a mortgage (subject to the liens of the mortgages securing the 5 percent Mortgage Bonds due 1952 and the Refunding Mortgage Bonds due 1961).

The Public Service Commission of the State of New York has jurisdiction over the proposed transaction.

Such declaration having been duly filed, and notice of said filing having been duly given in the form and manner prescribed by Rule U-23 promulgated pursuant to said act, and the Commission not having received a request for hearing with respect to said declaration within the period specified in said notice, or otherwise, and not having ordered a hearing thereon; and

The Commission finding that no adverse findings are necessary with respect to the declaration, and deeming it appropriate in the public interest and in the interest of investors and consumers that said declaration be permitted to become effective, and deeming it appropriate to grant a request of declarant that the order become effective at the earliest date possible:

*It is hereby ordered*, Pursuant to Rule U-23 and the applicable provisions of the act, that the declaration be, and the same hereby is, permitted to become effective forthwith, subject to the terms and conditions prescribed in Rule U-24 and to the entry of an appropriate order by the Public Service Commission of the State of New York approving the proposed transaction.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 50-9077; Filed, Oct. 13, 1950; 8:50 a. m.]

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[File No. 59-15]

NORTHERN NEW ENGLAND CO. AND NEW ENGLAND PUBLIC SERVICE CO.

SUPPLEMENTAL ORDER GRANTING SUPPLEMENTAL APPLICATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 10th day of October A. D. 1950.

The Commission by order dated September 8, 1950 (Holding Company Act Release No. 10087), and the United States District Court for the District of Maine by order dated September 27, 1950, having approved under section 11 (e) of the Public Utility Holding Company Act of 1935 ("the Act") certain amendments filed by New England Public Service Company ("NEPSCO"), a registered holding company and a subsidiary of Northern New England Company, also a registered holding company, modifying NEPSCO's plan approved by order of the Commission dated June 27, 1947 (Holding Company Act Release No. 7511) and by order of said District Court dated August 6, 1947 (73 F. Supp. 452);

Said amendments providing, among other things, for the reduction of NEPSCO's bank loan, entered into pursuant to the plan, with the proceeds of the sale by NEPSCO of 260,000 shares of its holdings of the common stock of Central Maine Power Company; for the deletion from the plan of the provision therein prohibiting the payment of dividends on any class of stock of NEPSCO while any part of the bank loan remains outstanding; and for the renewal or replacement, for a period of one year, on such terms as the Commission shall approve, of the balance of the loan remaining unpaid on October 11, 1950, NEPSCO to have the right, with the Commission's approval, to renew the loan for an additional period of one year; said amendments further providing for reduction of the loan with funds returned to NEPSCO from escrow pursuant to the plan and stating that it is expected that application of the proceeds of said sale and of funds returned from escrow will reduce the loan to such an extent that it will be paid in full from earnings, by October 11, 1952, at the same time leaving sufficient earnings to permit the payment of dividends on NEPSCO's preferred stocks at the current quarterly rate; and said amendments further providing, among other things, for the sale by NEPSCO of additional shares of its holdings of utility stocks if such action is necessary to pay the loan in full by October 11, 1952;

The Commission by orders dated September 8, 1950 and September 20, 1950 (Holding Company Act Releases Nos. 10086 and 10113) having permitted to become effective NEPSCO's declaration with respect to the sale by it of 260,000 shares of common stock of Central Maine Power Company at an aggregate price to NEPSCO of $3,988,400;

NEPSCO having filed a supplemental application stating that it has reduced its bank loan with the net proceeds of said sale, after estimated expenses of $47,000, and that, after an additional payment of $283,600 out of cash on hand, the balance of the bank loan at October 11, 1950, will be $4,000,000;

NEPSCO, by said supplemental application, having requested approval of the renewal of the loan in the amount of $4,000,000 for a period of one year from October 11, 1950, under the terms of an extension agreement with the banks; the extension agreement providing, among other things, for an interest rate for the initial year of 2½ percent; NEPSCO to have the right to renew the loan for a further period of one year at an interest rate to be agreed upon, if such renewal is approved by the Commission; the loan to continue to be secured by the pledge of NEPSCO's holdings of common stock of Public Service Company of New Hampshire and of Central Maine Power Company having a quoted market value from time to time equal to twice the principal amount of the loan outstanding; NEPSCO to be obligated to pay on account of principal $180,000 quarterly, beginning January 1, 1951, with the privilege of making additional payments without penalty provided such payments are not made with the proceeds of borrowings; and NEPSCO to have the right, while not in default on the loan, to declare and pay dividends accrued after July 15, 1950, on its preferred stocks not in excess of their current quarterly rates; NEPSCO to reduce the loan with funds returned to it from escrow and to sell additional shares of its holdings of utility stocks if such action is necessary to pay the loan in full by October 11, 1952; and

The Commission having considered said supplemental application and finding that the renewal of said loan on the terms specified therein is consistent with said amendments to the plan and meets the requirements of the applicable provisions of the act and that it is appropriate that said supplemental application be granted effective forthwith:

*It is ordered*, Pursuant to the applicable provisions of the act, and subject to the terms and conditions of Rule U-24 thereunder, that said supplemental application be, and it hereby is, granted effective forthwith.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 50-9078; Filed, Oct. 13, 1950; 8:50 a. m.]

# DEPARTMENT OF JUSTICE

## Office of Alien Property

AUTHORITY: 40 Stat. 411, 55 Stat. 839, Pub. Laws 322, 671, 79th Cong., 60 Stat. 50, 925; 50 U. S. C. and Supp. App. 1, 616; E. O. 9193, July 6, 1942, 3 CFR, Cum. Supp., E. O. 9567, June 8, 1945, 3 CFR, 1945 Supp., E. O. 9788, Oct. 14, 1946, 11 F. R. 11981.

### MARJORIE SALVONI

NOTICE OF INTENTION TO RETURN VESTED PROPERTY

Pursuant to section 32 (f) of the Trading With the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of the publication hereof, the following property, subject to any increase or decrease resulting from the administration thereof prior to return, and after adequate provision for taxes and conservatory expenses:

*Claimant, Claim No., Property and Location*

Marjorie Salvoni, a/k/a Marjorie Savin Britton, Florence, Italy; Claim No. 36890; $1,401.77 in the Treasury of the United States.

Executed at Washington, D. C., on October 9, 1950.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
*Assistant Attorney General,*
*Director, Office of Alien Property.*

[F. R. Doc. 50-9027; Filed, Oct. 12, 1950; 8:53 a. m.]

### SHUNJI MATSUOKA

NOTICE OF INTENTION TO RETURN VESTED PROPERTY

Pursuant to section 32 (f) of the Trading With the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of the publication hereof, the following property, subject to any increase or decrease resulting from the administration thereof prior to return, and after adequate provision for taxes and conservatory expenses:

*Claimant, Claim No., and Property and Location*

Shunji Matsuoka, Seattle, Wash.; Claim No. 6760; $424.39 in the Treasury of the United States.

Executed at Washington, D. C., on October 9, 1950.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
*Assistant Attorney General,*
*Director, Office of Alien Property.*

[F. R. Doc. 50-9029; Filed, Oct. 12, 1950; 8:53 a. m.]

### ALIX WHITENER

NOTICE OF INTENTION TO RETURN VESTED PROPERTY

Pursuant to section 32 (f) of the Trading With the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of the publication hereof, the following property, subject to any increase or decrease resulting from the administration thereof prior to return, and after adequate provision for taxes and conservatory expenses:

*Claimant, Claim No., Property and Location*

Alix Whitener, Normandy, Mo., Claim No. 6603; $84,227.60 in the Treasury of the United States.

Executed at Washington, D. C., on October 10, 1950.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
*Assistant Attorney General,*
*Director, Office of Alien Property.*

[F. R. Doc. 50-9030; Filed, Oct. 12, 1950; 8:53 a. m.]

[Vesting Order 12800, as amended, Amdt.]

### HARALD VON SCHENK

In re: Bank account and securities owned by Harald von Schenk, also known as Harold von Schenk.

Vesting Order 12800, dated February 1, 1949, as amended, is hereby further amended as follows and not otherwise: By deleting from subparagraph 2 (e) of said Vesting Order 12800, as amended, the certificate No. 2097 set forth with respect to shares of Handelsvereeniging Amsterdam, N. V., of 500 guilders face value, Series 8, and substituting therefor certificate No. 2079.

All other provisions of said Vesting Order 12800, as amended, and all actions taken by or on behalf of the Attorney General of the United States in reliance thereon, pursuant thereto and under the authority thereof are hereby ratified and confirmed.

Executed at Washington, D. C., on October 5, 1950.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
*Assistant Attorney General,*
*Director, Office of Alien Property.*

[F. R. Doc. 50-9088; Filed, Oct. 13, 1950; 8:51 a. m.]

### MARIANNA TIBERI FRISSORA ET AL.

NOTICE OF INTENTION TO RETURN VESTED PROPERTY

Pursuant to section 32 (f) of the Trading With the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of the publication hereof, the following property, subject to any increase or decrease resulting from the administration thereof prior to return, and after adequate provision for taxes and conservatory expenses:

*Claimant, Claim No., Property and Location*

Marianna Tiberi Frissora, Angela Giovannina Frissora Fedele, Ginevra Frissora, Margherita Frissora Spinosa, Lucia Frissora Pronio, Province Aquila, Italy; Claim No. 37735; all right, title and interest of the respective claimants in and to the Estate of Ulisse Frissora, deceased, including $44,108.38 in the Treasury of the United States to be divided as follows: Claimant Marianna Tiberi Frissora to receive a ½ interest and claimants Angela Giovannina Frissora Fedele, Ginevra Frissora, Margherita Frissora Spinosa and Lucia Frissora Pronio to receive a ⅛ interest each.

Executed at Washington, D. C., on October 10, 1950.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
*Assistant Attorney General,*
*Director, Office of Alien Property.*

[F. R. Doc. 50-9090; Filed, Oct. 13, 1950; 8:51 a. m.]

[Vesting Order 15126]

### KARL KADEN

In re: Rights to a refund of moneys erroneously paid as income taxes owing by Karl Kaden.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Karl Kaden, whose last known address is Muhlbach, Bez. Chemnitz, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the property described as follows: All rights to claim, demand, and recover all monies paid by No-Sag Spring Company of Detroit, Michigan, to or for the account of United States Collectors of Internal Revenue on or about June 21, 1941, and January 2, 1942, as income taxes owing by Karl Kaden of Germany, together with interest thereon

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of, or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on September 27, 1950.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
*Assistant Attorney General,*
*Director, Office of Alien Property.*

[F. R. Doc. 50-9086; Filed Oct. 13, 1950; 8:51 a. m.]